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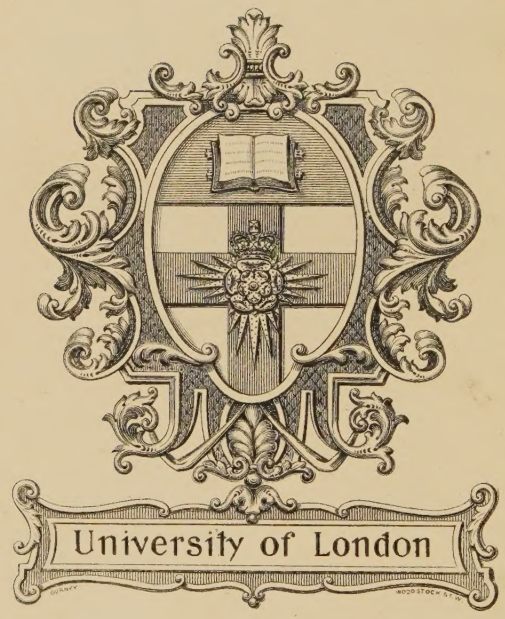

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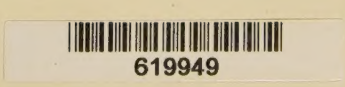
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HANSARD'S

PARLIAMENTARY DEBATES,

VOL. LXXXVI.

HANSARD'S

PARLIAMENTARY DEBATES:

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

9° VICTORIÆ, 1846.

VOL. LXXXVI.

COMPRISING THE PERIOD FROM

THE FOURTH DAY OF MAY,

TO

THE TWENTY-NINTH DAY OF MAY, 1846.

Fourth Volume of the Session.

LONDON:

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1846.

TABLE OF CONTENTS

TO

VOLUME LXXXVI.

THIRD SERIES.

I. Subjects of Debate in the House of Lords.
II. Subjects of Debate in the House of Commons.
III. Lists of Divisions.

I. Subjects of Debate in the House of Lords.

1846. *Page*

May 4. Railway Companies Dissolution Bill—Report of the Railway Companies Dissolution Bill brought up—Amendments reported ... 2

5. The Queen's Message—Pensions to Viscount Hardinge and Lord Gough—Order of the Day, "That Her Majesty's Most Gracious Message should be considered," read—Addresses in answer to Her Majesty's Message, as moved by the Earl of Ripon, agreed to 94

County Lieutenancies in Ireland—Motions of Lord Carew for the Production of Papers—Motion agreed to 109

7. The Corn Laws—Motion of Lord Ashburton for the Production of Papers—Motion agreed to—Returns ordered 168

Ventilating the Houses of Parliament—Question ... 170

Western Australia Bill—The Second Reading of the Bill ... 172

Opposed Railway Bills—Motion of Lord Redesdale, "That the Committee appointed by the House to name the Select Committee for the consideration of opposed Private Bills, shall not name any such Committee on any opposed Railway Bill after Monday the 20th of July"—Resolution agreed to ... 172

Deodands Abolition and Deaths by Accidents Compensation Bills—The Third Reading of the Bills 173

1846. Page

May 7. Burghs (Scotland) Bill—House in Committee—Clause proposed to be inserted in the Bill by the Duke of Richmond negatived—Bill passed through Committee and reported 175

May 8. Rajah of Sattara—Presentation of a Petition 218

11. Religious Opinions Relief Bill—Motion of the Bishop of Exeter that certain Questions relating to Religious Opinions Relief be proposed to the Judges—Motion withdrawn 300

12. The Corn Laws—Presentation of a Petition 415
Religious Opinions Relief Bill—Question 415

14. The Corn Laws—Question 537

15. Clerks of the Crown (Ireland)—Motion of the Marquess of Clanricarde for the Production of Papers—Motion agreed to ... 576
Religious Opinions Relief Bill—Order of the Day for going into Committee read—Objection of the Bishop of Exeter to House going into Committee—House in Committee 581

18. Corn Importation Bill—The First Reading of the Bill ... 728
Charitable Trusts Bill—Motion of the Lord Chancellor, "That the Bill be read a Second Time"—Amendment of Lord Cottenham, "That the Bill be read a Second Time that day Six Months"—Motion negatived—Bill put off for Six Months ... 733

19. Education in Wales—Presentation of a Petition 859
Customs Duties Bill—The First Reading of the Bill ... 862
Convicts in Australia—Question 870

22. Art Unions—Presentation of a Petition 968
Crime in Ireland—Motion of the Marquess of Normanby for the Production of Papers—Motion agreed to 970

25. Accouchement of Her Majesty—Motion of the Duke of Wellington "For an Address to Her Majesty congratulating Her Majesty on the Birth of another Princess"—Address agreed to ... 1084
Corn Importation Bill—Order of the Day read—Motion of the Earl of Ripon, "That the Bill be read a Second Time"—Amendment of the Duke of Richmond, "That the Bill be read a Second Time that day Six Months"—Debate adjourned ... 1084

26. Corn Importation Bill—Adjourned Debate on the Duke of Richmond's Amendment to the Second Reading of the Corn Importation Bill—Debate again adjourned to Thursday ... 1210

28. Corn Importation Bill—Adjourned Debate on the Duke of Richmond's Amendment to the Second Reading of the Corn Importation Bill—(Third Night)—Amendment negatived—Division Lists, &c.—The Second Reading of the Bill 1290

II. Subjects of Debate in the House of Commons.

May 4. Railways (Ireland)—Question 7
Pensions to Viscount Hardinge and Lord Gough—Order of the Day for going into Committee of the whole House to consider Her Majesty's Most Gracious Messages, read—House in Committee—Royal Messages read—Motion of Sir R. Peel, "That the Annual Sum of 3,000*l.* be granted to Her Majesty out of the Consolidated Fund of the United Kingdom of Great Britain

1846. Page

and Ireland, and to be settled upon Lieutenant General Henry Viscount Hardinge, and the two next Surviving Heirs Male of the said Henry Viscount Hardinge"—Vote agreed to—Resolution to be reported 9

May 4. Lord Gough's Pension—Her Majesty's Message concerning Lord Gough considered in Committee—*Resolved*, "That the Annual Sum of 2,000*l.* be granted to Her Majesty out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, and to be settled upon Lieutenant General Hugh Lord Gough, and the two next Surviving Heirs Male of the Body of the said Hugh Lord Gough"—Vote agreed to—Resolution to be reported 35

Corn Importation Bill—On Question, "That the House go into Committee on the Corn Importation Bill"—Amendment of Lord G. Bentinck, "That the Speaker do leave the Chair that day Three Months"—Amendment negatived—House in Committee—Preamble postponed—Motion of Lord G. Bentinck, "That the Chairman report progress, and ask leave to sit again"—Motion negatived—Division Lists, &c.—House resumed—Committee to sit again 35

Members of the House acting as Counsel—Motion of Mr. Hawes, "That Mr. Charles Buller have leave to attend as Counsel before the House of Lords"—Objected to—Motion withdrawn 92

5. Corn Law—Oats—House in Committee—Amendment of Lord G. Bentinck, "That the word 'Oats' be omitted from the First Clause"—Amendment withdrawn—Remainder of the Clause agreed to—On Question, "That the Clause stand part of the Bill"—Amendment of Lord G. Bentinck, "That it be omitted"—Clause agreed to—Remaining Clauses agreed to—Report to be received 140

6. Roman Catholic Relief Bill—Order of the Day for going into Committee read—On Question, "That the Speaker do leave the Chair"—Amendment of Mr. Colquhoun, "That this House resolve itself into the said Committee upon this day Six Months"—Amendment negatived—Division Lists, &c.—House in Committee—Motion of Mr. Watson, "To divide the Bill and to strike out the first three Clauses, that the Chairman report progress, and that the Bill be recommitted on Wednesday fortnight"—Motion agreed to—On Question, "That the First Clause of the Second Part stand part of the Bill"—Amendment of Mr. Law, "That the Clause be omitted"—Amendment withdrawn—House resumed—Bill reported—Report to be taken into consideration that day Fortnight 141

Administration of Criminal Justice Bill—House in Committee—Clause proposed to be added to Bill by Mr. Law withdrawn—House resumed—Report to be brought up 166

7. Channel Islands—Question 176

Fees in Courts of Law and Equity—Motion of Mr. Watson, "That a Select Committee be appointed to inquire into the Nature and Extent of the Taxation of Suitors by the collection of Fees in the Courts of Law and Equity," &c.—Motion negatived—Division Lists, &c. 176

8. Railway Legislation—Motion of Mr. Hudson for the Insertion of a Clause in all Railway Bills of the present Session, by which New Companies are to be incorporated—Motion by leave withdrawn 220

1846. Page

May 8. Loughborough Petty Sessions—Questions 223

Corn Importation Bill—Bill reported—On Question, "That the Amendments made by the Committee be read a Second Time"—Amendment of Sir C. Burrell, "That the Report be further taken into consideration that day Six Months"—Amendment withdrawn—Amendment made by the Committee on the Bill agreed to—Bill to be read a Third Time on Monday ... 226

11. The Bridport Election—Presentation of a Petition—Motion of Mr. Bankes, "That the Petition be printed"—Motion agreed to 328

Captain Lyons—Question 329

Corn Importation Bill—On Question "That the Corn Importation Bill be read a Third Time"—Amendment of the Marquess of Granby, "That the Bill be read a Third Time that day Six Months"—Debate adjourned 330

12. South Nottingham Election—Explanation of Mr. Hildyard in answer to previous Statement of the Earl of Lincoln—Earl of Lincoln's Explanation 416

Corn Importation Bill—Adjourned Debate on the Marquess of Granby's Amendment to the Third Reading of the Corn Importation Bill—Debate again adjourned 421

13. Attendance on Committees—Statement of Mr. Gisborne relating to Members being compelled to attend Committees during the Sitting of the House 464

The Ten Hours' Factory Bill—Order of the Day for resuming the Adjourned Debate on Mr. Fielden's Motion for the Second Reading of the Ten Hours' Factory Bill, read—Debate again adjourned on the Motion of Mr. Bankes 466

14. Proceedings upon Railway Bills—Question 538

Mr. J. Toulmin Smith and the Excise—Motion of Mr. Spooner, "That a Select Committee be appointed to consider the Petitions of Mr. Toulmin Smith, and the Papers presented to the House relative to the Case stated in those Petitions"—Motion negatived 539

Commercial Policy of Government—Canada—Motion of Lord G. Bentinck for the Production of Papers—Motion, with certain additions as proposed by Sir Geo. Clerk, agreed to ... 553

15. East India Companies Annuities to Viscount Hardinge and Lord Gough—Motion of Mr. Hogg for leave to introduce two Bills to authorize the East India Company to grant Annuities to Viscount Hardinge and Lord Gough for their recent brilliant Services in the East Indies—Leave given—The First Reading of the Bill 613

Post Office—Question 615

Corn Importation Bill—Adjourned Debate on the Marquess of Granby's Amendment to the Third Reading of the Corn Importation Bill—(Third Night)—Amendment negatived—Main Question agreed to—Division Lists, &c.—Bill read a Third Time and passed 616

18. Magisterial Oppression—Question 810

Silvester's Case—The Game Laws—Question 811

Breach of Privilege—Explanation 815

1846. Page

May 18. Customs Duties Bill—On the Motion, "That the Amendments made by the Committee be now read a Second Time"—Amendment of Lord G. Bentinck, "That the Report be taken into further consideration that day Six Months"—Amendment by leave withdrawn—Amendments read a Second Time—Bill ordered to be read a Third Time 819

Viscount Hardinge's Annuity Bill—House in Committee—First Clause agreed to—Bill to be reported. 856

19. Sites for Places of Worship in Scotland—Motion of Mr. Fox Maule for leave to bring in a Bill—Leave given ... 872

Customs Duties Bill—Agricultural Statistics—The Third Reading of the Bill—Bill passed 874

Quarantine Laws—Motion of Dr. Bowring for the Production of Papers—Motion agreed to 877

Bridport Election—Case of William Rockett—Motion of Mr. G. Bankes, "That William Rockett have leave to state his Case at the Bar of this House with reference to the Bridport Election"—Amendment of Mr. Christie, "That the Petition of William Rockett be referred to a Select Committee," &c.—Motion and Amendment withdrawn—Amendment of Mr. Christie again moved as a substantive Motion—Amendment of the Attorney General, "To omit all the words after 'Romilly'"—The House divided on the Question, "That the words proposed to be left out stand part of the Question"—Motion negatived—Division Lists, &c.—Debate adjourned 882

Railway Companies Dissolution Bill—House in Committee—Bill passed through Committee, and to be reported ... 911

20. Distress in Ireland—Question 912

Lace Factories Bill—Motion of Mr. T. Duncombe, "That the Bill be read a Second Time"—Amendment of Sir J. Graham, "That the Bill be read a Second Time that day Six Months"—Motion negatived—Division Lists, &c. 914

The Poisoning Case at Happisburgh—Question ... 952

21. German Customs Tariff—Question 952

The Bingley Union—Questions 953

Sir Charles Taylor—Questions 958

Visit of Ibrahim Pacha—Question 960

Equestrian Statue to the Duke of Wellington—Question ... 960

The Officers of the Ecclesiastical Commission—Explanation—Motion of Mr. Hume for the Production of a certain Paper—Motion withdrawn 962

Mr. W. Smith O'Brien—Letter received by the Speaker from Mr. Smith O'Brien read—Motion of Mr. O'Connell, "That the Correspondence be printed, circulated with the Votes, and taken into consideration To-morrow"—Agreed to—Ordered accordingly 966

New Zealand—Withdrawal of Notice of Motion by Mr. C. Buller 967

Real Property—Motion of Viscount Ebrington for the Reappointment of the Real Property Commission—House counted out 968

22. Poor Relief (Scotland)—Questions 980

Metropolitan Buildings Bill—Questions 982

Mr. W. Smith O'Brien—Order of the Day for taking into consideration the Subject-matter of the Letter of W. Smith O'Brien, Esq. to Mr. Speaker, read—Motion of Mr. O'Connell, "That the Order made upon the 27th of April last, that William Smith O'Brien, Esq. do attend the said Committee To-morrow be discharged"—Motion negatived—Division List, &c. ... 983

1846 *Page*

May 22. Ten Hours' Factory Bill—Adjourned Debate on Mr. Fielden's Motion for the Second Reading of the Ten Hours' Factory Bill (Third Night)—Motion negatived—Division Lists, &c.—Second Reading put off for Six Months 998

25. Measures of Relief for Ireland—Question 1196
Birth of a Princess—Motion of Sir R. Peel for a Congratulatory Address to Her Majesty on the Birth of another Princess—Motion carried *nem. con.* 1197
Liberation of Mr. W. S. O'Brien—Motion of Mr. Shaw, "That William Smith O'Brien, Esq., in custody of the Serjeant-at-Arms attending this House, be discharged out of custody, paying his Fees"—Motion carried *nem. con.* 1198
Protection of Life (Ireland)—Explanation 1201
Spanish Discriminating Duties—Question 1202
Crime in Ireland—Explanation 1203
Supply—Civil Contingencies—House in Committee ... 1203

26. Spanish Discriminating Duties—Repetition of previous Question 1286
Tragical Occurrence at Birdhill—Question 1287
Transportation—Van Diemen's Land—House counted out ... 1288

28. Andover Union—Motion of Lord Courtenay, "That the Andover Union Committee have power from time to time to report its Proceedings to the House"—Motion negatived—Division Lists, &c. 1409
Bridport Election—Order of the Day for resuming the Adjourned Debate read—Amendment of Mr. Henley to add certain words to the original Motion—Amendment negatived—Division Lists, &c. 1414
The Colonial Office—Explanation 1420

29. Adjournment and Business of the House—Motion of Sir R. Peel, "That the House at its rising do adjourn to Friday next"—Motion agreed to 1421
Treaty between Russia and Turkey—Question ... 1423
The Oregon Question—Question 1424
Retiring Allowances to Naval Officers—Explanation ... 1424
Commercial Policy—Canada—Question 1425
The Poor Law—Question 1426
Potatoes from Yorkshire—Explanation 1427
Ways and Means—The Budget—House in Committee—Motion of the Chancellor of the Exchequer, "That towards making good the Supply granted to Her Majesty, there be issued and applied to the Service of the year 1846, the sum of 253,538*l.* 8*s.* 11*d.*, being the Surplus of Ways and Means granted for the Service of the preceding year"—Vote agreed to ... 1429

III. List of Divisions.

The Ayes and the Noes on Lord G. Bentinck's Motion in Committee on the Corn Importation Bill, "That the Chairman report progress, and ask leave to sit again" 89

The Ayes and the Noes on Mr. Colquhoun's Amendment to the House going into Committee on the Roman Catholic Relief Bill 161

The Ayes and the Noes on Mr. Watson's Motion for the Appointment of a "Select Committee to inquire into the Nature and Extent of the Taxation of Suitors by the Collection of Fees in the Courts of Law and Equity," &c. 161

Page

The Ayes and the Noes on the Marquess of Granby's Amendment to the Third Reading of the Corn Importation Bill ... 721

The Ayes and the Noes on the Attorney General's Amendment to the Motion of Mr. Christie, relating to the Case of William Rockett, with reference to the Bridport Election ... 910

The Ayes and the Noes on Sir J. Graham's Amendment to the Motion of Mr. T. Duncombe for the Second Reading of the Lace Factories Bill 950

The Ayes and the Noes on Mr. O'Connell's Motion respecting W. Smith O'Brien, Esq. 997

The Ayes and the Noes on Mr. Fielden's Motion for the Second Reading of the Ten Hours' Factory Bill 1080

The Contents and Non-Contents on the Duke of Richmond's Amendment to the Second Reading of the Corn Importation Bill 1405

The Ayes and the Noes on Lord Courtenay's Motion respecting the Andover Union Committee having the power from time to time to report its Proceedings to the House 1414

The Ayes and the Noes on Mr. Henley's Amendment to add certain words to the original Motion respecting the Bridport Election 1419

Appendix.

April 30. Speech of Mr. Hudson respecting Railway Labourers ... 1472

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE *FIFTH SESSION* OF THE *FOURTEENTH PARLIAMENT* OF THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*, APPOINTED TO MEET 11 NOVEMBER, 1841, AND FROM THENCE CONTINUED TILL 22 JANUARY, 1846, IN THE NINTH YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FOURTH VOLUME OF THE SESSION.

HOUSE OF LORDS,

Monday, May 4, 1846.

MINUTES.] PUBLIC BILLS.—*Reported.* Exchequer Bills. 3a. and passed. Commons Inclosure.

PETITIONS PRESENTED. By Lord Campbell, and several other noble Lords, from Trustees of a great number of Public Charities, against the Charitable Trusts Bill.—By the Bishop of Oxford, from Llangaffo, and several other places, against the Union of Saint Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—By the Bishop of Durham, from Bodmin and several other places, for the Better Observance of, and against the Sale of Intoxicating Liquors on, the Sabbath.—By the Duke of Buccleuch, from Non-Freemen's Association of Edinburgh, in favour of the Burghs (Scotland) Bill.—By the Earl of Charleville, from Bridgewater, for the Appointment of a Committee of Inquiry relative to the Oath of Supremacy.—From the Incorporation of Cordwainers in Glasgow, praying to be heard by Counsel against the Burghs (Scotland) Bill.—By the Earl of Wicklow, from Noblemen and others of Cork, for a Grant of Money in aid of Private Subscriptions to relieve the Distress in Ireland.—By the Bishop of Exeter, from James Holderness, Under Master of the Free Grammar School of East Retford, in favour of the Charitable Trusts Bill.—From Directors and Guardians of the Poor of the Mutford and Lothingland Incorporation, in the County of Suffolk, for the Adoption of a Measure making the Landlords of Cottages where the Rents are under £6 liable to the Poor Rates.—From Bridgwater, against the Maynooth College Act.—By Lord Stanley, from Attorneys and Solicitors of Liverpool, against the Real Property Deeds Registration Act.

RAILWAY COMPANIES DISSOLUTION BILL.

ON bringing up the Report of the Railway Companies Dissolution Bill,

The EARL of DALHOUSIE, in reference to a discussion in Committee on this Bill, said he had no objection to grant a power of pre-emption to the parties who were opposed to the dissolution of a company; he did not think the right would be of any great value, as copies were deposited with the Board of Trade, at the Private Bill Office, and in the Parliament Office of the House of Lords, and from the last two tracings and copies could be taken; still he had no objection to give the right to purchase at a price to be fixed by the scrutineers. Another point suggested was the possibility of making an attempt to prevent the practice of purchasing scrip, with the view of operating to the dissolution of a particular company; and a noble Lord had recommended that every person on giving a vote at the meeting, to be called under the provisions of the Bill, should make an affirmation that he was pos-

sessed of the scrip on the 31st of March anterior to the meeting. If the practice of purchasing scrip for such a purpose should exist, undoubtedly it would be a great abuse; but after making every inquiry, and consulting with persons of experience, he felt it his duty to object to the introduction of such a clause. He did not believe that the requirement of any such affirmation would ensure the object, whilst he was of opinion that it would inflict injustice upon other parties. That scrip would be purchased for the purpose which had been described he did not doubt, but he had great doubts whether the practice could be carried to such an extent as to influence materially the existence of any trustworthy and important company.

Earl GREY said, the statements of the noble Earl confirmed him in the conviction that this Bill would work very great injustice to many parties who were deserving of the consideration of the House. There were lines projected to accommodate districts through which no railway passed, and which would pay a good dividend, yet such lines, under this Bill, might be abandoned because a majority of the projectors might have gone beyond their means. Such persons would be relieved by allowing them to wind up the company; but their associates, the prudent men, those who had gone into a legitimate speculation upon the faith that they were joining men equally prudent—these persons who were able to pay the calls, who were ready to go on, and who could establish before a Parliamentary Committee that the line would be remunerative, were compelled to sacrifice the money they had already spent, and to render the property entirely valueless. And this was done by an *ex post facto* law; for when they embarked in the speculation, the law did not give the power to dissolve; on the contrary, the subscription deed contained an express stipulation to proceed. So that on these people there was first imposed the expense of "getting up" the company, and then the cost of winding up, which he apprehended would not be very light. That House never adopted a measure more calculated to strengthen the monopoly of existing companies than this; for it would give to them the power of getting rid of the competition by buying up the shares. The fact was, the noble Earl (the Earl of Dalhousie) has confined his attention exclusively to bubble companies in the preparation of this measure, and omitted all concern for the *bonâ fide* schemes; at all events, if the Government had looked into this subject properly at an earlier period there would have been no difficulty in doing justice to all. He repeated, that something should be done to guard those which were *bonâ fide* from injustice. It would contribute to this object if all scrip purchased since the 31st of March were excluded from voting, for a great proportion of the shares bought since that period had been bought with the view of making a profit out of the winding-up. The noble Earl said this was impracticable, and that false declarations would be made. He (Earl Grey) could not assent to that conclusion. He had rather a better opinion of railway speculators than the noble Earl; and it was his belief that the great majority of them would hesitate before they ventured upon making a false declaration. He believed if a small penalty of, say *5l.*, were awarded for a false affirmation, there would be no danger of the risk being incurred to a considerable extent; but the noble Earl said such a course would be unjust; he would, however, remind their Lordships that the whole principle of the Bill was to do a great injustice to the few in order to do what they thought was just towards the majority. Did the noble Earl mean that the Bill would operate unjustly towards the minority who had entered into the scheme with a *bonâ fide* intention of paying up their shares, and who were still ready to carry the project into execution, if allowed? The principle on which the Bill was founded was, that the difficulties of the present state of things were so great, that though a hardship was inflicted upon some individuals, they were obliged to inflict that hardship for the sake of the greater good that they would thus do to the majority. He only asked them to deprive persons who became possessed of their shares since the 31st of March of the right of voting for the dissolution of the companies, because he had no doubt but that the major part of these purchases had been made under the expectation and with the intention of sharing in the dividends that might be made after a dissolution. He asked them to apply the same principle to these cases that they adopted with regard to the Parliamentary franchise. A man might become possessed of the oldest estate in the kingdom, and yet his purchase would give him no vote for a twelvemonth afterwards. That provision had been made because Parliament had found that the former system had been used in an improper manner

in preparing for particular elections. The noble Earl said that many of the scripholders who would thus be excluded were so by inheritance or by marriage; but still did not the same principle apply to such persons who were not permitted to hold the Parliamentary franchise? With respect to the other right to which the noble Earl had adverted—namely, the right of purchasing plans, he would only say that he had never attached the slightest value to what was called the right of pre-emption in the plans. The plans themselves were of no real value whatever: but what he wanted was to give to the minority—to those who really wanted to go on with the project, the advantage, in some shape or other, of the money that had been already expended. A very large sum of money had been paid away, and that money would be altogether wasted if this Bill were allowed to pass into law. What he did think, and what he still thought would be fair and reasonable, was that those persons who wished to keep the company together, should, after the retirement of the dissentients, be able, if they could, to fill up the ranks in the list of shareholders, and to come before Parliament in another year, with some preference, at all events, over new opponents. If these were not permitted, existing companies that now in so many instances opposed these schemes, could, after breaking them up by the purchase of their shares, in order to acquire votes against them, come before Parliament the next year with the very plans which they now sought to destroy. He could not help repeating that it was his opinion, if the Government had applied themselves to the past, and confined themselves to the real difficulty which they were called upon to meet, that they could have devised some means of mitigating the evil.

LORD REDESDALE supported the Bill. He could see no grounds why the minority of a dissolved company should be allowed a prior claim over any particular tract of country, for to this he considered the proposition of the noble Earl came. With regard to the suggestion of putting restrictions on parties who had purchased scrip since the 31st of March, he did not think that the plan was practicable, and besides, he thought it would not be just. Though they gave powers to these parties, it should be recollected that they also gave powers to the other scripholders which they had not before possessed. It should not be forgotten that the persons whom it was attempted to deprive of the right of voting, would not have given such high prices as they had paid for their scrip; and, therefore, their Lordships would be committing a greater injustice against them, by depriving them of a right which they would otherwise possess, of being placed on a footing of perfect equality with other shareholders, than the injustice to which the noble Earl had alluded. Besides, even if the proposition of the noble Earl were agreed to, and if these parties were not allowed to vote at the meetings, they would, if their object were to injure the company, have an opportunity when the Bill passed of returning directors who would not permit the works to go on.

LORD KINNAIRD said, he thought the best answer to the noble Lord who had just sat down would be found in the case of the London and York Railway, where a minority of those who had been before Parliament last year were permitted, with a number of new scripholders who had since joined them, to come again before Parliament with the same plans. He was not very sanguine as to the success of this Bill in materially lessening the number of schemes to be brought before Parliament.

The EARL of DALHOUSIE replied. He said he would not fatigue their Lordships by a repetition of arguments which had been so often urged upon their attention. He should, however, remind the noble Earl, who had argued as if the Bill were to affect only the four hundred and odd schemes now before Parliament, that there were upwards of 500 projects that had not their Bills pending, and in all these the scripholders were anxiously waiting for this Bill to enable them to dissolve their companies. The noble Earl, in arguing for the rights of the minority, appeared to forget that there was another party, namely, the public at large, deeply interested in the dissolution of these schemes; and while they would not do any injustice to the minority of which they could have a right to complain, it would be doing considerable good to the community generally. As to the clause of pre-emption, he would not press it, if their Lordships were opposed to it.

Amendments reported.

House adjourned.

HOUSE OF COMMONS,

Monday, May 4, 1846.

MINUTES.] PUBLIC BILLS.—1° Corn Importation; Rating of Tenements.
2° Poor Removal.

PETITIONS PRESENTED. By several hon. Members, from various places, for Better Observance of the Lord's Day. —By several hon. Members, from various places, in favour of the Roman Catholic Relief Bill.—By Mr. Clive, from Rural Dean and Clergy of the Deanery of Pontesbury, against the Union of Saint Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester. — By Mr. Feilden, from Merchants, Manufacturers, and other Inhabitants of the Town and Neighbourhood of Blackburn, in favour of the proposed Measure respecting Customs and Corn Importation.—By Mr. Allix, and Mr. Fuller, from Guardians of the Poor of the Wisbech and Cuckfield Unions, for Rating Owners in lieu of Occupiers of Tenements.—By several hon. Members, from various places, for Repeal or Alteration of the Lunatic Asylums and Pauper Lunatics Act.—By Mr. Hastie, from Members and Adherents of Free South Congregation, Paisley, complaining of Refusal to grant Sites for Churches to the Free Church (Scotland).—By Mr. Hutt, from an immense number of places in New South Wales, for the Admission of Australian Corn on the same Terms as Canadian.—By Mr. Sharman Crawford, from Rochdale, for the Total and Immediate Repeal of the Corn Laws.—By Mr. Thomas Mackenzie, from Ross and Cromarty, against the Corn Importation Bill.—By Mr. Hume, from Shipowners of Whitby and Glasgow, for Reduction of Tolls on Lighthouses.—By Mr. Butler, from John Dillon, for Inquiry.—By Dr. Bowring, from several places, against Enrolment of Militia.—By Lord Charles Manners, from Asfordby, against, and by Mr. Ord, from Newcastle upon Tyne, for Alteration of, the Poor Removal Bill.—By Mr. George Hamilton, from President and Committee of the Stock Exchange, Dublin, against Alteration of Law respecting Stockbrokers (Ireland).

RAILWAYS (IRELAND).

SIR H. W. BARRON said, he wished to put a question to the right hon. Baronet. Several of the Irish railway companies had, he believed, made applications to Government for pecuniary advances, to enable them to proceed with their works, on the ground that their Acts of Parliament prevented them from making calls upon their shareholders, except at certain intervals and at long periods. Some of the companies, especially those whose lines would pass through the most distressed districts, had pressed upon the Government the necessity of advancing them a portion of the capital they were empowered to raise, in anticipation of their calls, on proper security being given, and subject to the payment of interest. He wished to ask, whether the Government were prepared to make any such advances to these companies to enable them to afford employment to the people in the distressed districts of Ireland?

SIR R. PEEL was not prepared to give any general assurances as to advances for the execution of railway works in Ireland. A Board had been constituted, known as the Exchequer Bills Loan Commissioners, which had the power of making advances for the execution of public works, on due security being given for repayment, and at a certain rate of interest. He conceived that any railway company desirous of obtaining a loan of money ought to apply to that Board, specifying the nature of the security they could give; and the Board had the power, if satisfied with the security, of making the advance. He was sure the hon. Baronet would see that it was impossible for him (Sir R. Peel) to give a general assurance with respect to the encouragement of all railway schemes in Ireland. The hon. Gentleman had said, that the shareholders in these companies were not prepared to come forward and pay up the calls.

SIR H. W. BARRON explained that what he stated was, that the companies could only call on the shareholders for the payment of calls in certain proportions, and at stated intervals, generally every three months. All the calls that had been made by Irish companies had been very punctually paid.

SIR R. PEEL said, the real difficulty as to the payment of these calls in Ireland arose from the same cause which had produced similar difficulties in this country—namely, the enormous extent to which railway speculation had been carried, and the consequent effect upon the market. The House had already passed Resolutions, and the provisions of a measure were under consideration, with the object of affording facilities for winding up improvident speculations, at the discretion of the parties concerned in them. The Government must, therefore, be cautious not to counteract the effect of those Resolutions, by undertaking to make advances to railway companies. A company which had completed a certain portion of its line, and had given evidence not only of its solvency, but of the probability that the undertaking would be remunerative, would, he apprehended, have no difficulty in providing satisfactory security; but many companies were prevented from proceeding in consequence of the number of these speculations, and the inability of the shareholders to pay up the calls. He thought, therefore, that any interference in the way of advances, except under special circumstances, and with full justification, would only add to the existing difficulties. He (Sir R. Peel) could not, as he before stated, give any general assurance on this subject. He could only recommend those companies desirous of obtaining an advance of public money to apply

to the Exchequer Bills Loan Commissioners, specifying the nature of the security they could offer; and the Commissioners would then determine what aid could be given in each particular case.

PENSIONS TO VISCOUNT HARDINGE AND LORD GOUGH.

Order of the Day for going into Committee of the whole House to consider Her Majesty's Most Gracious Messages was read. House in Committee; and the Royal Messages having been read (see *ante*, vol. lxxxv, p. 1152),

SIR R. PEEL said: Mr. Speaker, it has been my duty so recently, on two separate occasions, to attempt to do justice to the distinguished services and merits of the officers who are the immediate subjects of these Messages from the Crown, and not only to them, but to all the officers and men, European and Native, who served under their command, that I conceive it would be an unwarrantable trespass on the time of the House, if, on this third occasion, I were to call the attention of the House specially to the distinguished services they have rendered in the campaign on the banks of the Sutlej. On those occasions, the House, by a unanimous vote, assented to the Resolutions which I had the honour of proposing. The House gave a convincing proof how deeply it felt the extent and the value of those services, by the ready and unanimous assent which it accorded to the Resolution, that a Vote of Thanks should be given to those distinguished officers; and I allude to the recorded Vote of the House as a reason why I should not again attempt to describe their actions, rather than venture to recapitulate them. But, Sir, this Message from the Crown not only alludes to the triumphant services of Viscount Hardinge and of Lord Gough in the late victorious campaign of the Sutlej; but it also states that Her Majesty has been graciously pleased to recommend this House to adopt such measures as will enable Her Majesty to confer upon them some signal mark of Her favour for their distinguished services upon other occasions. Perhaps, then, the House will permit me to allude to those services which Viscount Hardinge and Lord Gough have performed for their country in other campaigns than the recent one upon the banks of the Sutlej. Her Majesty has been graciously pleased, in return for all those services, to confer the honour of the British Peerage on Viscount Hardinge and Lord Gough; and Her Majesty now invites the House of Commons to make the provision usually made on similar occcasions. I find it necessary, therefore, to state to the House, not merely the services performed by those officers on the late occasions, but those also by which, on former ones, they have sustained the honour and glory of the British name, and the interests of their country. It is now forty-eight years since my noble, gallant, and distinguished Friend, Viscount Hardinge, entered the British service; and in the course of his long military career it has been the good fortune of my gallant Friend to be present at numerous actions in the Peninsula—at Roleiça, at Vimiera (where he was wounded), and, under the command of that most gallant, distingushed, and lamented officer, Sir John Moore, during the retreat to Corunna, and at the battle of Corunna. At the battle of Corunna, at an early period of his life, Captain Hardinge was near Sir John Moore when that gallant officer received his death-wound upon the field. Of Lord Hardinge it is said, by the eloquent historian of the Peninsular campaign, when describing the battle of Corunna, that Captain Hardinge, a staff officer, who was near Sir John Moore, attempted to take off his sword, part of the belt of which had entered the deep wound in his shoulder made by the cannon shot by which he was struck; that Captain Hardinge proposed to Sir John to unbuckle the sword, that the torment it contributed to cause might be relieved; but that Sir John Moore stopped him with this affecting speech, "It is as well as it is. I had rather it should go out of the field with me." The historian adds that, in this manner, so becoming a soldier, Sir John Moore was borne from the field, refusing to part with his sword in the moment of death. After the battle of Corunna Sir H. Hardinge was present at the passage of the Douro, at the battle of Busaco, in the lines of Torres Vedras, at the battle of Albuera, at the three sieges of Badajoz, at the siege and capture of Ciudad Rodrigo, at Salamanca, at Vittoria, where he was severely wounded, at Pampeluna, at the battles of the Pyrenees, at Nivelle, at Nive, and at Orthez. The House will remember that my gallant Friend was at Ligny, two days before the battle of Waterloo, and he was only prevented from taking his share in that great action by the severe wounds he received at the battle of Ligny. This House cannot forget what a distinguished part my gallant Friend

took in the battle of Albuera; and it is possible that he learned in that action what confidence could be justly placed in the desperate valour of British soldiers. It is probable even that the recollection of the battle of Albuera, and of the change in the fortunes of that day, accomplished chiefly through the valour of the British infantry, may have induced my gallant Friend to persevere under all discouragements in his latter and equally glorious battles, and to place a just and never disappointed confidence in the enduring valour of the British troops. The same gallant historian to whom I have referred, speaking of the battle of Albuera, states that there were many circumstances which might have made the most gallant men in the British army despond, and, referring to a period of the fight when an attack was made upon a French division posted on an eminence formidable for the purpose of defence, he says—

"Myers was killed; Cole himself, and Colonels Ellis, Blakeney, and Hawkshawe fell, badly wounded, and the whole brigade, 'struck by the iron tempest, reeled and staggered like sinking ships.' 'Suddenly recovering, however,' says Colonel Napier, in strains of sublime military eloquence, 'they closed on their terrible enemy; and then was seen with what a strength and majesty the British soldier fights. In vain did Soult by voice and gesture animate his Frenchmen; in vain did the hardiest veterans, extricating themselves from the crowded column, sacrifice their lives to gain time and space for the mass to open out on such a fair field; in vain did the mass itself bear up, and, fiercely striving, fire indiscriminately on friends and foes, while the horsemen hovering on the flanks, threatened to charge the advancing line. Nothing could stop that astonishing infantry. No sudden burst of undisciplined valour; no nervous enthusiasm weakened the stability of their order: their flashing eyes were bent on the dark columns in their front; their measured tread shook the ground; their dreadful volleys swept away the head of every formation; their deafening shouts overpowered the dissonant cries that broke from all parts of the tumultuous crowd, as foot by foot, and with a horrid carnage, it was driven by the incessant vigour of the attack to the furthest edge of the hill. In vain did the French reserves, joining with the struggling multitude, endeavour to sustain the fight; their efforts only increased the irremediable confusion, and the mighty mass, at length giving way like a loosened cliff, went headlong down the ascent.'"

This is a description worthy of the scene; a description that could only have been written by a man of great eloquence, and of great experience in the art of war. But the historian proceeds:—

"The rain flowed after in streams discoloured with blood, and 1,500 unwounded men, the remnant of 6,000 unconquerable British soldiers, stood triumphant on the fatal hill!"

Sir, it was the recollection of such an exploit, it was the experience of such desperate valour, that, I have no doubt, induced Sir H. Hardinge and Sir H. Gough never to despond, whatever might be the disparity of numbers, and the skill and valour of their opponents; but, relying on the energy of the British infantry they had under their command, they felt assured of the ultimate success of their arms. So much for the services of my gallant Friend Sir H. Hardinge. As I said before, he has now completed forty-eight years of military service. The career of that other gallant officer whom Her Majesty has elevated to the British Peerage has not been less distinguished. For fifty-two years has Lord Gough served in the British army; and no one would have supposed from the vigour, the energy, and the heroism of his conduct, that fifty-two years of active service could have passed over his head. Sir Hugh Gough was at the capture of the Cape of Good Hope, at the attack on Porto Rico, and at the capture of Surinam. During the Peninsular war he commanded the 87th Regiment at Talavera, where he was severely wounded; he was present at Barossa, at Vittoria, at Nivelle, where he was also severely wounded; at the sieges of Cadiz and at Tarifa. During the period of European peace he had still an opportunity of distinguishing himself in his country's service—an opportunity he never neglected. He commanded the British army at Canton, and directed nearly all the operations in China. He was with the right wing of the army of Gwalior, which fought and gained the battle of Maharajpore. These are the services rendered by that gallant officer previous to the late campaign on the Sutlej, where he was Commander in Chief of the army. It would be presumptuous in me to attempt to do justice to his signal services. I believe he is known to the British army as a man of the most heroic valour, and that his valour and skill inspire confidence in all those whom he commands. I will not speak merely of his valour and his skill: these are admitted by all who are acquainted with the history of our Peninsular and Indian wars. But, I must take this opportunity of placing upon record an instance of his devotion to the service of his country, which he, probably, little thought would ever be mentioned within the walls of Parliament, but which I conceive to be at least as honourable to him as any services he has rendered in the field. After the termination of the Chinese

campaign, Lord Gough was nominated to the command of the forces in Madras. It was thought expedient, at a period subsequent to his nomination to this command, that the military and civil command should be united in the hands of one person—that person having the advantage of previous personal communication with Her Majesty's servants. Lord Tweeddale was selected for the government of Madras; and, as I have said, it being thought desirable in the circumstances in which that presidency was then placed to unite the military and civil commands, Lord Tweeddale superseded Lord Gough in the military command. That was a severe trial to a British officer—to one who had just been victorious in China. Now, what was the answer returned by Lord Gough to the Commander in Chief on its being intimated to him that the public service required the union of the two commands? Many officers would have felt deeply mortified; but I consider the answer of Lord Gough to be so honourable to him, and to set so striking an example of what is the duty of a British soldier under such circumstances as I have mentioned, that I have determined to read to the House the letter written by the gallant officer on that occasion:—

"Head-quarter ship Marion, off Nankin,
Sept. 15, 1842.

"My Lord—I have the honour to acknowledge the receipt of your Lordship's letter of the 30th of April. However mortifying it may be to me to find myself deprived of the appointment to which I had been so graciously nominated, I beg to assure your Lordship that I bow without repining to any measure that may be considered beneficial to the interests of my country. To serve that country in the higher walks of a profession which I entered as a child, I came to India, and especially to China, and I trust your Lordship will believe, that while my Sovereign considered my services useful, they were, as they ever shall be, freely, and, I hope, energetically rendered; but when they are no longer required, or when the public exigencies in such an important portion of our foreign possessions as Madras are deemed to clash with my individual advantage, I hope I may say that I am one of the last men in the army who would not readily sacrifice self-interest. My gracious Sovereign's unsolicited nomination of me to the chief command at Madras was received by me with thankfulness; and whenever for the furtherance of Her Majesty's service it became expedient to place another in that situation, whether in a single or conjoint capacity, I should not have wished my private interests to stand in the way of the public good. That I feel rather disappointed I cannot deny; but I am not the less grateful to my Sovereign for Her gracious kindness towards me, or the less sincerely and warmly thankful to your Lordship for the renewed proof of kind consideration which your letter conveys. With the earnest and anxious prayer that the union of the civil government and military command at Madras may fully meet the expectations of the Government—I have, &c.,

"H. Gough, Lieutenant-General,
"Commanding Expeditionary Land Force."

This, in my opinion, is one of the most creditable letters ever written by a military man, and proved, I think, that the writer was worthy of a higher trust than that of Commander at Madras. I trust that these instances of apparent self-sacrifice and of devotion to the true interests of the military service will ever meet with their just rewards; and though Sir Hugh Gough, when he wrote that letter never contemplated that a consequence of this might be his appointment to the chief command in India, yet I rejoice that such a noble devotion to the public service was followed by a reward to which he has proved himself to be fully entitled. Having thus attempted briefly to recount the services rendered by these distinguished men previous to the late campaign, I have said enough to show that the proposition which I shall submit to the House is not only justified by recent services, but by a long career of military exertion and glory. The proposal which I shall make may not be one commensurate with their merits, but I feel it to be of the utmost importance, that a proposal so made should command the unanimous assent of the House. I am perfectly certain that it would be more agreeable to my gallant Friend, Lord Hardinge, and to that other distinguished officer, whose personal acquaintance I have not the honour to enjoy—I am sure that it would be more acceptable to their feelings that the Minister of the Crown should make a proposition so reasonable and moderate that it should command universal assent, rather than one that might possibly lead to controversy. I shall propose that the annual sum of 3,000*l.* be granted to Her Majesty out of the Consolidated Fund, to be settled in the most beneficial manner on Lord Hardinge and the two next surviving heirs male of his body. I shall propose also to follow precedents, which I think it is desirable to observe in respect to the rewards of these military services, in order that there may not be the possibility of inviting a contrast. Adopting, then, these precedents as far as practicable, I shall propose that the sum of 2,000*l.* a year be granted to Lord Gough and to the two next surviving heirs male of his body. I have reason to believe—and it would not be proper to withhold the knowledge from this House—that the East India Company, most

wisely and properly, in my opinion, are anxious to mark their sense of the services rendered by Lord Hardinge and Lord Gough, by making every provision for those distinguished men which the charter of the India Company enables them to do. I believe, that without some legislative sanction, and the assent of the Crown, the East India Company cannot make any provision or allowances to the heirs of any one who has rendered services in India; but the India Company are most desirous of making a liberal provision for Lord Hardinge and Lord Gough during their lives. In that case, though on the present occasion I shall feel it my duty to propose the vote in the usual form—namely, that provision be made from the 28th of April for Lord Hardinge and Lord Gough and their two next heirs male, yet in case the India Company should take that course which would be most becoming to them, and consistent with that liberality which they have always evinced in rewarding services rendered in India, and should make provision for life for those two distinguished individuals, then it will be perfectly competent in the House, during the progress of the Bill, to permit the East India Company to have the honour of allotting to Lord Hardinge and Lord Gough for their lives whatever provision the Company may deem suitable to their brilliant services; and in that case the grant of the House of Commons, so far as those two illustrious individuals are concerned, would not take place. I am most anxious that there should be a deep conviction on the part of the House that the proposal I make is so moderate as to command unanimous assent. After the account which I have given of the services of these two distinguished and gallant individuals, I believe that such will be the feeling of the House; and being fully confident in the moderation of my proposal, and in the liberality of the House of Commons, I now move—

"That the annual sum of 3,000*l.* be granted to Her Majesty, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, the said Annuity to commence from the 28th day of April, 1846, and to be settled in the most beneficial manner upon Lieutenant General Henry Viscount Hardinge, and the two next surviving heirs male of the body of the said Henry Viscount Hardinge."

LORD FRANCIS EGERTON: I have hitherto, for what I considered good reasons, but I must say at the sacrifice of my own inclinations, remained silent when the services of our Indian army have been brought under the notice of the House. I was so when the vote of thanks for the recent victories was unanimously adopted, for I felt that any expressions of mine could but weaken the effect of the eloquence so happily displayed by my right hon. Friend. I felt still more strongly that anything I had to offer must diminish the effect of that sanction from professional authority which these meritorious services obtained elsewhere, when the *laudari a laudato* was so happily illustrated. The opinion the House has manifested is now upon record, and must remain there as long as history retains the name of that great master of the art of war who has borne testimony to the successful exertions of his pupils, and has thus afforded them their proudest and their best reward. The same feeling of self-distrust would induce me on this occasion to give my silent but hearty concurrence in the present most reasonable and moderate proposal, if I were not at this moment under an influence I cannot control, to express my earnest desire that it may be possible to introduce into the category of reward another distinguished name—that of the conqueror of Aliwal. Putting aside for a moment, and as far as it is possible, the consideration of other victories, I believe that we must go to the annals of Sir Henry Smith's great master in the military art for a specimen of such a felicitous combination of foresight and strategy which rendered his achievement so *teres atque rotundus*, if I may so apply the expression. We must look not merely to the apparent success of the enemy at the ford of Hurekee, but go further back, and do justice to the wise calculation which, even through the semblance of temporary discomfiture, amid insecure allies and barbarous foes, could look forward with calm confidence and resolute patience to that great victory which he subsequently achieved. It has fallen to the lot of scarcely any individual to pass through so long and so unostentatious a career, and to terminate it by a result so judicious in its conduct, so brilliant in its execution, and so important in its consequences. It has received the great reward of the thanks of Parliament; and I must say, that while speaking, I feel the inconvenience and embarrassment that may ensue if Gentlemen come forward with claims founded on high services, but estimated by personal regard and private friendship. On this account, if I had the slightest acquaintance with Sir Henry Smith, or even with his friends — if I

even knew the features of his countenance through any other medium than a woodcut in the *Illustrated News*, I would not have stood forward in his behalf on the present occasion. I am aware, that in so doing I am treading upon delicate ground. It has been not seldom said, that it is seldom wise to venture without authority to make reference to the private circumstances of an individual; but when a soldier has gone through such a series of successful services, who has taken more towns than, with my imperfect recollection, I can count upon my fingers, it may be to his credit to say that he is richer in honours than in wealth; but it would be more to the credit of his country to say that his wealth has increased with his honours. No church-plate has been squeezed into his portmanteau—no contributions have been raised by him, and all the precious metal he possesses consists of the medals that decorate his uniform. I am even afraid that he has made a partial sacrifice of these: that a part of his baggage carried in advance has been lost, and that his Waterloo medal has not escaped the calamity. Upon these grounds —and, without venturing to trouble the House further, I beg leave to express my regret if it turn out impossible that Sir Henry Smith should be included in some practical demonstration of the gratitude of his country. I am disposed to think, at all events, that the House will hardly consider its own views of liberality satisfied in such a case. It will hardly consider its own views of distributive justice satisfied, if, when these subjects are under discussion, something be not done in practical acknowledgment of such indisputable claims. The claims to which my right hon. Friend has adverted are beyond all praise of mine; and I will only allow myself to say that long acquaintance, esteem, and friendship for the Governor General of India give me additional gratification in concurring in the proposal before the House; and I conclude with an earnest prayer that these good, brave, and distinguished men may long live to enjoy the honours and rewards they receive from their Sovereign and their country.

LORD J. RUSSELL: On a former occasion I cordially seconded the right hon. Gentleman opposite when he proposed the thanks of the House to these illustrious commanders; and I should, therefore, scarcely have thought it necessary to say a word now, had it not been for what has just fallen from the noble Lord, which makes it incumbent on me to notice the principle on which the House of Commons proceeds in votes of this nature. No doubt Sir Henry Smith is a most distinguished officer; no doubt the services he has performed are most eminent; but let us look at those of Lord Hardinge and Lord Gough in early life, on which the right hon. Baronet has dilated; let us look at the devoted services of many other officers who have conquered and perchance fallen in the cause of their country, at those of Sir Thomas Picton, for instance, and yet have received no pecuniary reward. I must own I think it advisable that the House of Commons should not be the originator of such propositions. The whole of the services of Lords Hardinge and Gough, detailed by the right hon. Baronet, previous to the late victories in India, were passed over unmarked by any vote for sums of money or annuities; still they were most distinguished men, and everybody must have felt grateful for the parts they acted at Albuera, and for the services that Barossa witnessed. I think the best course we can pursue is, to leave entirely to the Crown the dispensation of honours for military and naval services. When the Crown, in the opinion of this House, has fitly and properly bestowed the honours it has in its power to give, consisting of a Peerage, enabling the possessor of it to sit in the House of Lords, and to transmit the title to his descendants, the Minister comes down and asks us to consent to a grant competent to the support of the honour of the peerage; it then becomes our concern to consider, and, if we see reason, to assent to the grant; and this course is attended with this advantage—first, the Crown, as the fountain of honour, rewards the military and naval claims of those who in fact are its servants; and next, there is this check upon the improper bestowal of honours, from private favour or any other undue motive, that this House may refuse to concede the grant required at his hands, and object to carry into effect the corrupt wishes of the Minister. This I state as the general principle; but with respect to Lord Hardinge and Lord Gough, as no man can doubt for a moment the fitness of making a Viscount of the one and a Baron of the United Kingdom of the other, by the exercise of the Royal prerogative, so we shall be most willing to concur in the grant required at our hands. Not having heard until now what was to be the proposition of Ministers, but thinking it most just and reasonable,

I am prepared at once to concur in it. I presume that the subject has been duly considered by the Government of which the right hon. Baronet is the head; and I have heard nothing from him, or from any other Member, which induces me to object to the vote. It is far better to say so at once, and plainly, than to give a silent and cold acquiescence. I think that Ministers have fixed upon the proper amount, and I have the greatest readiness in expressing my entire concurrence in the discretion that has been exercised. When the noble Lord asks that votes should be taken for other distinguished officers, I must reply that if the Crown had sent down a Message to this House to confer a reward upon them, I should be quite ready to take the subject into consideration. No such message has been received regarding Sir Henry Smith, although I agree with the noble Lord that he has rendered most important services in the course of his military operations. It is not for me to express a desire which I must say, differing from the noble Lord, does not properly belong to Members of this House. On the general subject of India, I may be permitted to add that I am most gratified by the intelligence recently received, and that I trust the brilliant encounters recognized by our thanks will be succeeded by achievements of a different kind, which the courage, capacity, and resolution of Lord Hardinge give me confidence he will not fail to accomplish. I trust that he will display equal vigilance, wisdom, foresight, and moderation, in the settlement of the affairs committed to his charge; and although these victories of peace may be less brilliant, and accompanied by fewer laurels than those by which he has been lately crowned, they are not less difficult, not less embarrassing, and do not less require the exertion of the best faculties of the mind and heart than the victories of war, for the attainment of which he has been recently engaged. For these reasons I cordially concur in the proposition of the right hon. Gentleman.

Mr. ROEBUCK, after what had just fallen from the noble Lord, rose with fear, lest he might hazard, not the honour, but the reward that was due to gallantry and skill unsurpassed in any transactions connected with war in India. Need he say, that he referred to one whose name was to be found in the chronicles of British glory —he meant Sir C. Napier, who had seen fifty years' service, and had added a kingdom to our Indian empire, with the least possible expenditure of blood? Yet nobody but one so humble as himself had mentioned his name. He could have wished that "the fountain of honour," as it was called, had flowed towards that gallant officer. Agreeing that the House ought not to interfere in the bestowal of honours, yet, as they were in fact conferred by the advice of the Minister, whatever might be the form, the suggestion of the noble Lord was to be regarded as made to the Minister; and, without wishing to insitute any invidious comparison of merits, and with no feeling of jealousy or envy at the distinctions conferred upon others, yet conceiving that there was a name in every way deserving from the country a meed not yet bestowed, by long service, and skill, and integrity, and actual benefit conferred, he did hope that some means might be taken that it should not appear as if a slur were were about to be cast upon the conqueror of Scinde by passing over his services. This mere mention of his name might possibly do him some service. But now a word as to the future. He hoped that while the noble Member for London (Lord J. Russell) spoke of "moderation" in the future councils of Lord Hardinge, there might not be an overdoing of moderation. Our Indian dominions had, unfortunately, been distinguished hitherto by a sort of double government, a real government of the East India Company, and a sham government of native princes. We had the Mogul until that pageant was obliged to be swept away; and there was the Nizam still. If we were to have any fresh territory at all, let it be taken at once in the name of England—let there be no taking under the name of a sham sovereign. When the Treaties should be upon the Table, he, if no one else did, would endeavour to found some Motion which should compel the adoption of this principle of straightforwardness in our Government in India. If the Sikhs, for crossing the Sutlej, were to be punished by our taking possession of their territory, it ought to be in open day, and in the name of the people of England. He had said two or three years ago in the House, that we should be possessors of Scinde and the Punjaub; we were so in reality now; let us be so in open day, and without any sham pretence of "moderation."

Mr. HOGG felt, that if hon. Members were to enumerate the names of those who had been distinguished for a long course of military service and glory in India, this

debate would be very greatly prolonged; and even confining the commemoration to those who had distinguished themselves in the recent campaign, he could offer a goodly list of names which every one would own to have merited reward; but the inconvenience of this course had been strongly pointed out by the noble Lord (Lord J. Russell), and it certainly would place the Minister in rather an invidious and painful position if hon. Members upon these occasions suggested names, and left upon the mind of the public, and perhaps of the individuals themselves, an impression that their services had not been duly appreciated. For himself, he did not propose to enter into the details of these victories, but rose to state what were the intentions of the East India Company. Before doing this, however, he was naturally anxious, on account of Lord Hardinge and Lord Gough, that it should be known to the House and to the country that no suggestion or communication, direct or indirect, had passed between the Government and the East India Company with reference to the present grants. It must not be imagined for a moment that there was any understanding between them that the company were to provide for those gallant officers during their lives, and the Government for their families. It was his pleasing duty, as Chairman, to make to the Court of Directors the suggestion of what should be done; and he found that there was not a single member of the Court who would not have been ready to originate such a proposition; and after he had gathered the opinion of his Colleagues as to the services of these distinguished men, and the manner in which they ought to be rewarded, he made a communication to the Government; but the grants now proposed were of course the spontaneous proposal of the Government. Now, the Company had no means of bestowing honours; they could only reward public officers by a strong expression of gratitude and thanks, and by a pecuniary grant. The proper way to mark the sense of personal service was by a pension; this marked personal service much better than a grant of money. Accordingly, on Wednesday last, he had the honour of proposing, which was carried unanimously by the Court, that a pension of 5,000*l.* a year be granted to Viscount Hardinge during his natural life, to commence from the period when our troops arrived under the walls of Lahore; and a pension of 2,000*l.* a year to Lord Gough, for his natural life, commencing at the same period. These pensions were granted irrespective of the Peerages; it was the duty of the company to reward the great services performed by these distinguished individuals—it was for the House and for the country to look to the due maintenance and independence of the Peerage; and therefore the suggestion of the right hon. Baronet seemed quite fair and proper, that when the matter came before the House in a further stage, the provision made by the Company should be taken into consideration. Undoubtedly it was not the desire of those distinguished individuals themselves that there should be anything approaching prodigality; and he hoped it would be considered becoming liberality on the part of the Company that these pensions should be granted, the Minister of the Crown looking to it that there was a provision adequate for maintaining the honour and station of a Peer enjoying a seat in the Upper House. With respect to Lord Gough, this was the first instance of the Company's granting a pension to a Commander in Chief; it would not be the less acceptable on that account; but the names of those two distinguished men had been so united throughout the operations, they had been so associated together, they had shown such instances of devotion to the public service, regardless of their own feelings and interests, and looking only to the interests of the public, that it would have been a painful duty to be called to propose a grant to the one, and omit all mention of the other. He was happy to say, that in the Court of Directors the grant to Lord Gough was as unanimously voted as that to Lord Hardinge. These grants would have to be confirmed by two general Courts of Proprietors, and a notice of fourteen days must be given before assembling the Court; but he knew the constitution of that body, and their desire to reward merit so well, that he anticipated with confidence the same unanimity there. There was an Act of Parliament which would prevent the Governor General from accepting any pension in addition to his salary: that was never intended to be the meaning of the Act, but such was its construction; but he hoped for the ready consent of the House to a provision exempting Lord Hardinge from the operation of that restrictive clause, and permitting him to receive the pension in addition to his salary as Governor General. There never went out a Governor General who evinced a

greater desire for peace than did Lord Hardinge in the commencement of his career, or who, when hostilities were forced upon him, acted with greater valour and determination. It was to be trusted, that he would be enabled to devote the rest of his administration to the development of the resources of that great country, and that he might long live to advance the social happiness and welfare of its people.

Sir C. NAPIER begged to assure the House that no man more heartily rejoiced than himself at the honours and rewards which had been conferred upon Lord Hardinge and Lord Gough. He did not think that any man, be he soldier or sailor, would grudge those gallant officers the rewards which had been announced to be in store for them; and it was a proud thing to think that, after a peace of thirty years, the blood which ran in the veins of the British soldiers of the Peninsula, ran as warmly as ever it did. He must agree with the noble Lord opposite (Lord F. Egerton) in thinking that a sufficient reward had not been conferred upon that gallant officer Sir Henry Smith. With but 12,000 men he defeated an army greatly superior to him in force, in the most gallant manner that ever such an exploit was performed. When one read an account of Sir Henry Smith's action at Aliwal, and the manœuvres which he went through, in order to relieve Loodianah, it was impossible not feel impressed with the sense of the very great value of which his services had been to the country. He knew it was a general feeling that when an officer was detached in command of a force by the Commander-in-Chief, the officer so detached was not entitled to a reward. It must be remembered, however, that Nelson was not a Commander-in-Chief when he was detached by Lord St. Vincent with a squadron, and fought the battle of the Nile, for which he was rewarded with a Peerage. He was most unwilling to enter into any remarks upon the observations made by the hon. and learned Member for Bath with respect to his (Sir C. Napier's) own relative; but he did not think that he should do his duty towards his gallant relative if he did not say that, in his opinion, that gallant officer had not received the reward to which he was entitled. It was a most remarkable thing that scarcely had the despatches of Sir Henry Hardinge and Sir Hugh Gough arrived in this country, announcing the result of the first battle with the Sikhs, when the right hon. Baronet immediately came down to the House and asked for a vote of thanks for them. The right hon. Baronet did the same when the despatches informing the Government of the second battle arrived; and every Gentleman knew with what enthusiasm those votes of thanks were passed by the House. But when they looked back to the manner in which his gallant relative was treated, they would find that a very different line of conduct was pursued. He did not receive a vote of thanks for one year after the news of his victory arrived in this country; and he remembered that when he spoke to the right hon. Baronet on the subject, he was told that it would be better to wait until his gallant relative had done something more. That brave officer, with only 2,000 men, attacked 24,000 of the enemy, in a strong position, and yet, in spite of the inferiority of his numbers, he obtained one of the most brilliant victories on record. He afterwards, with 5,000 men, defeated 36,000 of the enemy; and, nevertheless, he remained a twelvemonth without having received the thanks of the House, and was afterwards only rewarded by a red ribbon being put round his neck and shoulder.

Sir R. INGLIS said, that his single object in rising to address the House, was to express a hope that Her Majesty's Government would not, as his right hon. Friend had stated, give to the East India Company the honour of first rewarding Lord Hardinge and Lord Gough. He could not but think that it was somewhat shabby to deprive this country of the glory and privilege of rewarding its gallant defenders in their lifetime. Would any hon. Gentleman rise in his place and say that the cumulative pension would be more than an equivalent and just reward for the services which had been rendered? He apprehended that there would not be found on either side of the House any individual who would make such a statement. After all, the amount proposed to be saved was so inconsiderable, looking to the period of life at which each of these distinguished officers had arrived, that he could not but think that we ought not to surrender to any other body that which was the distinguishing prerogative of the House of Commons. If, therefore, it were possible to make the grants which had been proposed by the right hon. Baronet irrespective of any other grant made by any other body, he should have greater satisfaction in voting for them, than if they were made

contingent upon pensions granted by the East India Company.

Mr. HUME declared that it gave him great satisfaction to concur in the votes proposed. It was not often that he concurred in votes of this kind; but, setting entirely aside the gallant achievements of Lord Hardinge, no officer in his time had stood before the public a greater advocate for peace and moderation, and on that ground he was very anxious to see this country confer a liberal reward. He could easily conceive what inducements an officer in his situation had to continue the war, and take possession of that which might be productive of great individual benefit to him. The speedy manner in which he brought to a conclusion the hostilities there, deserved from the Company and the Government their highest thanks. Looking to what might have been the consequences of another campaign, he was on this ground extremely pleased to give this vote his support. He could not but believe, that looking to the very small amount the grants would come to, compared with the great benefit derived, the Court of Directors might anticipate a unanimous vote from the Court of Proprietors. Although on many points objections might be taken, we must not look to individual points, but hold out to others a motive to follow in the same general career. Allusion had been made to Scinde; he trusted the subject of that conquest would be brought before the House, for one of the greatest benefits to this country, and an act honourable to the Government, would be the restitution of that kingdom to its lawful rulers. He had much satisfaction in hearing that the East India Company had adopted a mode by which the European privates who had most distinguished themselves should be rewarded for their heroic conduct. He hoped they would also reward the native troops, on whom they placed so much dependence, and from whom they demanded such important services in these contests. In conclusion, he had much pleasure in stating that he entirely concurred in the vote now before the House.

Mr. M. GORE cordially concurred in the proposal which had been submitted by the right hon. Baronet, and observed that, whatever might be done by that House with tho view of raising to still greater splendour the deeds of the gallant officers whose claims were now before them, those deeds must ever live in the recollections of their grateful countrymen. Many Gentlemen must remember the circumstance that when a Peerage was conferred on the immortal Nelson, some remarks were made from the Opposition side of the House that a rank sufficiently high had not been bestowed upon him on that occasion. Mr. Pitt replied that posterity would never stop to ask what was the rank in the Peerage which the services of such a man had earned. And in like manner, he thought that, whatever the House might do, and whatever honours might be conferred on the two gallant officers, their names must ever be emblazoned on the page of history, and that from posterity they would receive a rich reward of gratitude and fame. But he had risen on the present occasion chiefly for the purpose of referring to certain points which, in his opinion, greatly enhanced the merit of the victories gained by those distinguished officers, and which could not fail to be appreciated both by the House and the country. He referred not merely to the courage, not merely to the judgment and capacity which signalized their movements, and which had attracted the admiration, not only of all Europe, but of Asia; but he referred to the important results among eastern nations which must flow from the spirit of forbearance they had evinced after victory. If it was desirable that our influence should be extended in the east, there could not be two opinions on this, that our conquests there should be the means of disseminating Christianity among the people who fell under our sway. It would not, he hoped, be thought too presumptuous to suppose that, as the march of the Roman legions prepared the way for the diffusion of Christianity, so the march of our armies might also be such as to open up a course for the accomplishment of that great object in the east; and nothing, he believed, would tend so much to that important result as the spirit of such glorious examples in Christian morals as had been exhibited on this occasion. He was sure that that example had not been lost upon the eastern nations; but that it would induce in them the desire to be instructed in the principles of that religion which produced such salutary consequences. Nor did he know if ancient or modern history gave any scene so touching as that in which the Governor General and the Commander in Chief, with uncovered heads and on bended knees, returned to God thanks for the victory with which he had blessed their arms. Such examples would not fail to produce the most favourable and salutary results among the

eastern nations; and he hoped that the ultimate effect would be that Christianity, though now little known among the inhabitants of those immense regions, would soon expand into a full orb that would gladden the nations around with its radiance. The British soldiery, so long as they made the triumphs of war subservient to the preservation of peace, rendered important services to the world; and, in regard to India in particular, he trusted that the Government of that great Empire would turn their attention to the internal improvement of its resources—that they would encourage the spread of education, and the cultivation of the arts of peace—that they would endeavour to foster its industry and trade—and thus fulfilling that noble destiny to which we were called by Providence, erect the highest testimony that could be raised to the wisdom and good policy of the merchants of Britain—that they would do away with all those superstitions and injurious practices and views which hitherto had prevailed in the east, and show the eastern nations what was the true character of a British Government, by raising a monument of justice and beneficence which to a long and late posterity should hand down the fruits of the greatness and glory of the British merchants.

Captain LAYARD was sure there was not a soldier but would be delighted to hear of the honours conferred on Lord Hardinge and Lord Gough, chiefs under whom any soldier would be proud to serve. But he could not refrain from calling the attention of the House and the East India Company to the merits of those humble but deserving men who occupied the ranks. He trusted there was now a different feeling than formerly with regard to the British soldier. The right hon. Baronet had shown what these men had performed in the Peninsular war as well as since, and he referrred particularly to the gallant conduct of the troops at Albuera; but what record had those gallant men received who survived that action? The brave soldiery were, he contended, entitled to some memorial of their country's gratitude, something to show that, while we remembered the chiefs, the armies which they commanded were not forgotten. He was happy to learn that the men engaged in India were to have medals—a fact that would rejoice the heart of the soldier; but, in addition, there was another gratification which could be conferred upon them, and that was, to give them the benefit of two years' services. When they remembered that there were now regiments in India which had been kept 24 years in that climate, they would see that the adoption of such a mode of reward would enable many of those soldiers, to whom they owed so much, to return at an earlier time than otherwise they would do to their friends. He trusted that the right hon. Baronet would take this into consideration. There was a feeling out of doors that enlistment was for too long a period, as it gave those men who had gone to India little opportunity of returning to their native country. He agreed with the hon. Member for Oxford that that House, in whatever decision it came to on the present occasion, should act entirely without regard to the East India Company; and he thought that the pension given by Parliament, as well as by the East India Company, would not be too much, but would indeed fall short of the meritorious services of these gallant officers.

Mr. H. J. BAILLIE was understood to say, with reference to what had been dropped by certain Members as to Sir C. Napier, that that gallant officer had obtained 70,000*l.* prize money at the time he conquered Scinde.

Sir DE L. EVANS was induced to address the House chiefly in consequence of the highly gratifying communication which had been made to the House by the hon. Member for Beverley, as to the resolution of the Court of Directors. He thought that when they had departed from their precedent in this instance, he would not be presumptuous in drawing their attention to the services of those other officers who had performed actions of great glory in this war, and which had been productive of the utmost advantage. In particular, he would refer to the services of Sir Henry Smith; and he trusted that they would not, since they had departed from precedent, consider that he was out of place in submitting such a proposal for their serious deliberation. The hon. Member for Montrose had expressed his satisfaction at the change which had been recently made by the Court of Directors, in admitting British private soldiers to commissions in cases where they were found to merit them. He considered this to be a very important gain in the regulation of the service; and he must express the high gratification he had felt at the fact, that non-commissioned officers had been raised in British regiments to the rank of commissioned officers.

SIR J. HANMER expressed his complete concurrence in the views thrown out by the hon. Baronet the Member for Oxford. He considered that if they were asked, as Members of the House of Commons, to concur in a vote that would enable Viscount Hardinge and Lord Gough to support the honours of the Peerage, it would be more satisfactory that the pension which that vote went to bestow should be given, notwithstanding any grant made by the East India Company. He was not aware of the circumstances of these noble Lords; but when he considered that in all likelihood they were like many other gallant officers, who began the world not with much wealth, he thought that the provision which would be made, both by the House and the country, for the support of the families of the two noble Lords was not likely to be too great.

MR. HOGG begged to explain that the Court of Directors had come to the resolution of raising non-commissioned British officers to the rank of ensigncy unattached, and on the recommendation of the Commander-in-Chief 100*l.* was to be given to each man so promoted, as outfit. They had also resolved, that from time to time, as occasion might arise for these men distinguishing themselves, they should be advanced through the other grades of promotion. With respect to the case of Sir H. Smith he might state that he well knew the distinguished service which that gallant officer had conferred, and so did the whole of the members of the East India Company. He had no wish to draw a distinction between the Commander-in-Chief and the other officers who had been engaged; but most certainly the latter were not deemed unworthy because the same honour was not conferred upon them. Sir H. Smith had been promoted to the staff of the army, and he might state that to be upon the staff of the Indian army was 5,000*l.* a year. Besides, that distinguished officer might yet realize greater promotions still; might he not become the Commander-in-Chief? Would his services not recommend him to the promotion to which he was entitled? The proper way to reward a military man was to raise him in his profession. The moment they resolved to reward every great exploit with a grant of money, they would injure, he would even say degrade, the profession. He was sure that the Government and the East India Company would be glad to recognize, and bear in mind as the occasion required, to reward in a fit and legitimate way, the many distinguished officers who had been brought under their notice.

SIR D. L. EVANS admitted that Sir H. Smith had got on the staff of the army, which was worth 5,000*l.*, but the question was, how long would he remain on it? It was not usual for more than five years. Sir Henry had not before him the prospect of being Commander-in-Chief, as he did not hold the rank which could lead to that. He had been thirty years in the army before he was raised to the rank of a general officer. As to the army being degraded by advances of money, commanding officers had frequently considered themselves honoured by such advances. The merits of Sir H. Smith were peculiar. His rank was such that he was not eligible to the office of Commander-in-Chief; but he had achieved a victory of which any Commander-in-Chief might well be proud. He had not made the slightest allusion to a Peerage in his former remarks. All he had ventured to say was, that he hoped the East India Company, having departed from their former precedents, would take into consideration his case as a very peculiar one.

MR. WILLIAMS could not agree in the doctrine that future generations should be taxed to pay pensions to the descendants of these general officers. As the Government proceeded on almost all occasions on precedent, he was surprised at their departure from precedent on the present occasion. On looking back to the officers who had done services to the country, he found that, with the exception of the Duke of Wellington, the allowance to third generations had not exceeded 2,000*l.* a-year. There were the cases of Lord Duncan, Lord Nelson, and Lord Abercrombie, whose descendants had not more than 2,000*l.* a year settled upon them. He regretted the departure from precedent in this case the more, because to depart from precedent created feelings in the minds of the descendants of those distinguished officers which could not be pleasant, and which were better avoided. With respect to Sir H. Smith, there were other means of reward, and of showing a proper sense of that gallant officer's services; but two regiments had fallen vacant since those services took place, and he must say that it would have given universal satisfaction if one of them had been conferred on him. Another gallant officer who had gloriously distinguished himself in the most trying of

all positions in which an army could be placed, had scarcely been mentioned, he meant General Gilbert. However, General Gilbert was in the service of the East India Company, and he trusted that they would not forget him. He did not wish to object altogether to these rewards; but he must say, that when he compared them with the rewards that been bestowed on Sir W. Nott, whose services had not been excelled by any other officer in the Company's service, he could not but regret that Sir W. Nott should only have had 1,000*l.* a year granted him by the East India Company. Sir W. Nott had left a family, as he understood, in straitened circumstances. He was quite convinced that the hon. Director (Mr. Hogg), after the feeling which had been displayed in that House, and its determination to reward these two officers, would be willing to take into consideration the services of that distinguished commander; for, if they looked back to what he had done, and considered the position in which our army was placed, and the position in which our Indian Empire was placed at the time when Sir W. Nott's services were called for; if they considered that an army had been annihilated, and that the feeling had been spread throughout India that there was at least one nation in the north of India that was indomitable by our arms, and that it was entirely by means of the ability and perseverance of Sir W. Nott that that reverse was retrieved, his merits could hardly be too highly extolled. When the Governor General, at last, in spite of the opposition of the Court of Directors, gave authority to Sir W. Nott to march to Affghanistan, but upon his own responsibility, he ventured to say that such a power never before in modern warfare had been conferred upon a general. Sir W. Nott said that there was a deficiency of some things in his army, but he cheerfully marched, without hesitating a moment, and with 6,000 men encountered 40,000, and overthrew them. He retook the fortress of Ghuznee, for taking which Lord Keane received a Peerage and a pension of 3,000*l.* a year for two generations. Sir W. Nott, then, and General Pollock traversed the country, and only abandoned it because such was the pleasure of the East India Company. Surely these services ought not to be rewarded in what he must call the niggardly manner in which Sir W. Nott had been rewarded. It was very likely that he had been misinformed; but if he had not been misinformed, he trusted that the Government and the East India Company would reconsider their determination with respect to his family.

MR. HOGG should be very sorry if the East India Company were liable to the strictures which the hon. Gentleman had cast on their conduct with respect to Sir W. Nott. That gallant officer had been rewarded by the East India Company, and they did it in this way: after his return from Affghanistan, he was appointed resident at Lucknow, the most lucrative post in the gift of the Company, except a seat in Council, to which he would have inevitably have been appointed had it pleased Providence to spare his life. General Pollock has been appointed to a seat in Council, which he enjoyed at the present moment. The emoluments of that situation were not less than 10,000*l.* a year. It must be recollected that Sir W. Nott had returned to this country, not with the intention of permanently remaining in this country. The East India Company had voted him a pension of 1,000*l.* a year. He died not in affluent circumstances, it was true, but leaving a considerable sum to his widow, and legacies to each of his daughters. They had presented a memorial to the Directors of the East India Company, and, in conformity to established usage, a pension was granted to each of the unmarried daughters, and another to a grandson of Sir W. Nott, whose father had died in the service in limited circumstances. A pension had also been granted by the Company to his widow. It was painful to him (Mr. Hogg) to be driven to dilate on these circumstances; and he thought it was a pity that the hon. Gentleman did not inform himself of what had really been done by the Court of Directors before he brought so grave a charge against them, as that of neglecting the family and services of one of the most distinguished officers that had ever appeared in India, of whose services he could assure the House that the Directors were most deeply sensible.

MR. MORRIS could confirm the statement of the hon. Member for Coventry (Mr. Williams) with respect to the straitened circumstances of Sir W. Nott's family. Of the pension of 1,000*l.* a year, only one quarter, he (Mr. Morris) believed, had been received by Sir W. Nott. His widow had received a pension of 300*l.* a year from the East India Company. Two hundred a year had also been granted by them to each of the unmarried daughters, but only as long as they remained single. One

hundred a year, had besides, been granted for the education of Sir W. Nott's grandson. He had by him a memorial from the family to the right hon. Baronet (Sir R. Peel), requesting to be placed upon the pension list; and he (Mr. Morris) trusted that the right hon. Baronet would see fit to comply with that prayer.

SIR R. PEEL: Sir, the course of this debate has served strongly to show the policy of our leaving the consideration of these matters to the fountain of all honour. I adopted the usual course on this occasion. The Crown having conferred a Peerage on two individuals whose circumstances did not enable them to support the dignity, in pursuance of the usual course I proposed to Parliament, as Minister of the Crown, that we should assist by a grant; but having done so, the debate has taken a course which has led to a review of the military services of almost all the gallant officers who have served in the late Indian campaigns. Reference has been made to Sir H. Smith; the mention of his name called up hon. Members to speak of the services of Sir C. Napier; then General Gibert was mentioned; and now the services of Sir W. Nott and General Pollock have been brought in review before the House. This being the case, the House must see how unfit we are to enter upon the discussion of these subjects, and of the rewards to which each officer is entitled, and the degree of merit which belongs to him. The hon. Gentleman (Mr. Williams) finds fault with the provision which I have proposed for the services of Lord Hardinge; because, he says, that there is no usage for granting more than 2,000*l.* a year to the descendants in the third generation of officers who have been rewarded by Parliament. Sir, in the outset of my speech making this proposal to the House, I stated that it was my intention to ask nothing contrary to precedent, in order that we might come to an unanimous decision on this occasion. The hon. Gentleman is mistaken in what he states. Lord Amherst, for the conquest of Canada, was rewarded by a pension of 3,000*l.* a year; Lord Rodney had a grant of a pension of 3,000*l.* a year for three lives, and not 2,000*l.* a year merely. At that time the Irish Pension List was in existence, and Lord Rodney had only 2,000*l.* a year voted by Parliament from the funds of this country; the other 1,000*l.* a year being charged on the Irish establishment. Similar arrangements took place in the cases of Lord Duncan and Lord St. Vincent. Therefore, when the hon. Gentleman said that only 2,000*l.* a year had ever been granted to the descendants in the third generation of distinguished officers, he was in error. I will not say a word on the merits of these gallant officers. This is not a fit place to enter upon that discussion. I have already attempted to do justice to the merits of Sir H. Smith and the other officers who have been referred to; and I think that the feeling which was manifested by the House on that occasion proved that there was no indisposition among us to do justice to the very high merits of Sir H. Smith. I am sure I spared no effort to mark my sense of his services. The Crown, it must always be remembered, has the power to reward the survivors of a campaign whose services demand it; and the whole military patronage of the Crown is available for such purposes, as has been shown in the instance of General Pollock and other distinguished officers. Sir, we have made the patronage of the Crown available to mark our sense of such services, and I have no doubt that Sir H. Smith will share that patronage as occasion occurs. On a recent occasion who was sent for by the Governor General to take the post of second in command of the army of the Punjaub? It was Sir C. Napier. What higher honour than that could be conferred? He was sent for from Scinde to take that high post, which had been assigned to him by the Governor General. The circumstance of the termination of the war when he came up prevented that intention from being carried into effect; but I mention this for the purpose of showing that the Crown has the power of rewarding distinguished services, and that there is no indisposition on the part of the Government to use that power. But when hon. Gentlemen are disposed to be so generous to the survivors, they must recollect that the Crown has had brought under its consideration the claims of those who died in the service. Sir R. Dick, Sir R. Sale, and General M'Caskill all fell in the recent campaign. General M'Caskill has left seven daughters; Sir R. Sale has left a family very inadequately provided for; Sir R. Dick has also left a family. I think that is enough to show what must be the number of such claims, made under peculiar circumstances, and I think, also, that it is better to leave them to the bounty of the Crown, than deprive the Crown of that grace and favour of which, according to ancient usage, it is the proper fountain. I can

only further state, on the part of the Crown, that so far as the limited means at the disposal of the Crown will allow, there is every disposition to mark its sense of the gallant services of those officers who have died in service, as well as its respect for the survivors; and, certainly, no claims upon the bounty of the Crown are stronger than those of the men who have shown themselves worthy of it by their gallant services.

Lord J. RUSSELL agreed with the right hon. Baronet that all favour and honour ought to proceed from the Crown; but when the right hon. Gentleman spoke of the limited means for rewarding services that were placed at the disposal of the Crown, he must say, that though he thought that it would be inconvenient either that the House should originate these grants, or that the Members should be coming down too frequently to propose them at the instance of the Crown; still he trusted that the right hon. Gentleman, if he thought those means of which he had spoken were not sufficient for this purpose, should ask the House of Commons at once to vote a sum from which the Crown might reward services as they arose, rather than have the ungrateful task of refusing those whom he, as the Minister of the Crown, thought ought to have pensions granted them, as in the case of the daughters of Sir W. Nott.

Vote agreed to.

The House resumed: Resolution to be reported.

LORD GOUGH'S PENSION.

Her Majesty's Message concerning Lord Gough was then considered in Committee, and it was—

Resolved—"That the annual sum of 2,000*l.* be granted to Her Majesty, out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland, the said annuity to commence from the 28th day of April 1846, and to be settled in the most beneficial manner upon Lieutenant General Hugh Lord Gough, and the two next surviving heirs male of the body of the said Hugh Lord Gough."

Vote agreed to. Resolution to be reported.

CORN IMPORTATION BILL.

On the Question that the Speaker do leave the Chair, for the House to go into Committee on the Corn Importation Bill,

Lord G. BENTINCK said: Sir, I rise to oppose your leaving the Chair, as a new feature and a new character has arisen in the discussion of this question since it came under the consideration of the House, by what has fallen from the right hon. Gentleman at the head of Her Majesty's Government. The right hon. Baronet has allowed it to go forth to the country that those measures which he desires to have repealed, and which at the time he first intimated his intention to that effect he deemed to be impolitic, he now considers unjust—that he who has had a hand in the construction of every Corn Law Act that has been devised for the last thirty years, has now been induced, by the debate of the last three months, so far to change his opinion, that those laws which at the early part of last autumn he had disapproved of for the first time, he now deems to be unjust. I think, Sir, we ought not to allow this measure to go further until the right hon. Gentleman has stated those views upon this subject which have induced him to come to this extraordinary conclusion, who has for so many years exerted himself to maintain those laws. Sir, I am well aware that by delaying this measure, we shall be told that we are creating a stagnation of trade. Sir, we are not responsible for that stagnation. It is not those who resist a change of the laws, but those who are creating a change in the commercial laws of the country, who are alone responsible for this stagnation. Sir, we have been told again and again in this House—I believe by the noble Lord the Member for Lincolnshire—that the farmers of England are desirous to see a speedy settlement of this question. Sir, I do not admit that the farmers of England are desirous to see a speedy settlement of this question, unless it is to be accomplished by the rejection of the measure proposed by Her Majesty's Ministers. But, Sir, if I am to be told that the farmers of England expect that the price of corn will be raised by the introduction of 1,500,000 quarters of foreign wheat into their markets, the farmers would be justly liable to that accusation which was once made unjustly against them by the noble Lord the Member for the city of London, when he said that "they were as dull as the clods they broke."

Lord J. RUSSELL: I never said anything of the kind. When I proposed a fixed duty of 8*s.*, and when I was charged with being an enemy to the farmers, I told those who said so that they were somewhat of the character which you just described.

Lord G. BENTINCK: I am glad to

hear the explanation of my noble Friend. I do not think that it could have been foreseen that the farmers could have met with such double-dealing and treachery from those who professed to be their friends. Sir, it was certainly stated in this House that the farmers of England were anxious to see a speedy settlement of this question; and it was further stated here and elsewhere that it would be of essential service to the farmers of England, that foreign wheat should be introduced for home consumption, and to assist the sale of their own wheat. If I look back to all former precedents, I cannot see one single instance in which the importation of large quantities of foreign grain could raise the price of English wheat. I can recollect, in 1838, when the price was 73*s.*, that there were imported in about six weeks 2,500,000 quarters of wheat into this country. Was the effect of that importation to raise the price of English wheat, or improve the markets for the farmers? The effect of that importation was to lower the price of wheat to the full extent of 12*s.* a quarter. Again, in 1842—soon after the passing of the law of 1842—as soon, in fact, as it came well into operation—the prices and quantity imported were as follow :—

1842.	Price.	Quarters.
July 30	63*s.*	311,193
August 27	55*s.*	2,186,000
September 3	53*s.*	

Showing a fall of 10*s.*

1843.	Price.	Quarters.
August 19	59*s.*	80,282
August 26	56*s.*	
September 16	50*s.*	748,454

Fall 9*s.*

1844.	Price.	Quarters.
July 20	54*s.*	352,118.
August 10	48*s.*	141,156.

Fall 6*s.*

1845.

No importation exceeding 15,027 Quarters.

Prices gradually rose, the greatest rise being 6*s.* 2*d.* In the month of August only 907 quarters of foreign wheat were imported. Sir, I think that I have shown clearly that farmers must be an easily deluded set, if they will believe that the introduction of 1,500,000 of quarters of foreign grain will enhance the price of English wheat, or be any benefit to them. I refer back again to 1838, when, as I before stated, upwards of 1,500,000 quarters were imported, and will read a description of the markets, during several weeks in September and October of that year, as yet set forth in *Knight's Political Dictionary:*—

1838. Weeks ending	Six weeks' average price.	Weekly average price.	Duty.
Sept. 14.	73*s.*	64*s.*	1*s.* 0*d.*
12.	—	61	2 8
28.	—	—	10 8
Oct. 5.	—	—	16 8
12.	—	—	20 8
19.	—	—	21 8
26.	—	—	22 8

During the week of nominal duty no less than 1,514,047 quarters of foreign wheat were liberated from bond, and flung suddenly into the English markets, deranging every calculation of the merchant and farmer, but affording a rich harvest to the speculators. The cargoes which arrived too late to profit by the low duties perished in the warehouses, and were thrown into the sea when they became unfit for human food. As I have before stated, the result was to reduce the price of wheat to the full extent, 12*s.* a quarter, and, therefore, if the experience of the past is worth anything, it will be this, that the farmers of England will learn that they ought to keep away from foreign importation as long as possible, as the bringing into consumption those 1,500,000 quarters of wheat will only be to reduce prices. Is there anything in the state of the markets, either as to the existing prices or the quantity that is to be consumed, which should induce us to forget the interest of the farmer for the sake of the consumer? The average price of wheat on the 25th of April was no more than 55*s.* 6*d.*, and that, Sir, is within the range of 54*s.* and 56*s.*, which, four years ago, the right hon. Baronet at the head of Her Majesty's Government stated was the price which would generally be obtained by the operation of his Bill. Well, Sir, has the supply and the consumption been affected by the stagnation in the corn market? I have taken the trouble to compare the quantity of grain sold in England within the last four weeks with the quantity sold during the same period of last year, which is as follows. The noble Lord read the following :—

"Comparative Statement of Grain sold in England, for the past Four Weeks, with the same period for 1845 :—

To 5th April, 1845.

	s.	*d.*		Quarters.
Wheat	46	5	...	123,100
Barley	32	5	...	47,878
Oats	21	4	...	44,391
Rye	29	6	...	170
Beans	35	0	...	9,203
Peas	35	7	...	1,382
Brought forward			...	226,124

Carried forward ...				226,124
To 12th April.				
Wheat	46	3	...	99,629
Barley	32	5	...	42,183
Oats	20	9	...	53,304
Rye	30	6	...	92
Beans	35	5	...	7,270
Peas	36	6	...	878
To 19th April.				
Wheat	45	11	...	103,786
Barley	31	11	...	36,382
Oats	21	4	...	41,139
Rye	32	1	...	94
Beans	35	1	...	7,426
Peas	36	1	...	840
To 26th April.				
Wheat	45	11	...	115,876
Barley	31	6	...	29,255
Oats	20	11	...	47,395
Rye	30	9	...	207
Beans	35	9	...	9,369
Peas	36	1	...	706
Total ...				821,291
To 4th April, 1846.				
Wheat	55	9	...	120,292
Barley	30	0	...	73,593
Oats	22	6	...	56,479
Rye	33	7	...	300
Beans	34	10	...	11,460
Peas	34	2	...	1,831
To 11th April.				
Wheat	56	0	...	104,616
Barley	30	9	...	66,285
Oats	22	9	...	46,603
Rye	33	4	...	200
Beans	35	1	...	11,961
Peas	33	8	...	1,965
To 18th April.				
Wheat	55	10	...	101,107
Barley	30	5	...	58,140
Oats	22	9	...	41,937
Rye	35	5	...	371
Beans	34	9	...	9,599
Peas	34	5	...	1,456
To 25th April.				
Wheat	55	6	...	118,357
Barley	30	1	...	53,641
Oats	23	4	...	45,537
Rye	33	7	...	332
Beans	34	10	...	10,536
Peas	33	10	...	1,392
Total ...				937,990"

So that in this year of stagnation of trade, in this year of famine, there have been 116,000 quarters more of grain sold in the 288 markets of England than were sold in the four corresponding weeks of last year. Let the farmers of England recollect that this grain is of their own growth, for there has been scarcely any foreign grain introduced into the markets during the last month, which shows clearly that they possess an advantage so long as this delay is continued, which permits them to retain a monopoly of their markets; and the people of England are not suffering from any stint whilst they have the means of purchasing 116,000 quarters more within the last four weeks than in four weeks of the year that is gone by. I hope, therefore, if there is any farmer who has been led to believe, from false friends, that his interests are suffering by not having an immediate settlement of this question, he will now know that it is not so, but quite the contrary; and in reference to the statement that prices would be improved by the infusion of foreign corn, I think I have shown that there can be no proof of that assertion. Sir, again, with respect to prices. We are told that this is a year of famine; and I find, upon comparing the price of this year with the price of last year—which, I believe, was the cheapest year since 1836—I find that wheat has risen in price 21 per cent, oats $11\frac{1}{2}$ per cent, and rye $20\frac{1}{4}$ per cent; whilst every other description of grain has fallen in a great degree. I am therefore surprised, when I hear people talk of famine, to find that wheat has risen only 21 per cent upon the price of that year, and when it was the very lowest; and the food of the people of Ireland has risen only 10 per cent, therefore, I am reduced to think that those who talk of famine do not know much about it. Sir, on a former occasion I showed, successfully, I believe, to this House, that the fluctuations in the price of wheat had been much lower in this country since the Bill of 1842 had become the law of this country. I was answered again, by being told that the price of wheat in foreign countries was dependent upon the price of wheat in this country—an assertion which I am not disposed to admit. Rye and oats have not been considered of so much importance as other kinds of grain in this country, and therefore there has not been the same facility for discovering their respective prices, Sir, I have been enabled to obtain an account of the prices and fluctuations of rye and oats in several countries in Europe from 1835 to 1840, which were as follows :—

	AMSTERDAM.			Greatest fluctuation in the same year.
	s.	*d.*	Fluctuation.	per cent.
Highest (1839)	42	6	per cent.	per cent.
Lowest (1839)	17	6	147	1839 147
Average price, 6 years, 15*s.* $5\frac{1}{4}$*d.*				
DITTO OATS.				
Highest (1839)	23	5	per cent.	per cent.
Lowest (1836)	9	0	155	1836 122
Namely, highest, 20*s.*; lowest, 8*s.*				
HAMBURGH RYE.				
Highest (1839)	53	0	per cent.	per cent.
Lowest (1837)	20	6	165	1839 112
Namely, highest, 53*s.*; lowest, 24*s.* 9*d.*				
Average price, 6 yrs., 19*s.* 8*d.*				

OATS.

Highest (1840) 30 0	per cent.		per cent.	
Lowest (1836) 11 0	172	1838	163	

Namely, highest, 29*s.* 3*d.*; lowest, 11*s.* 3*d.*

DANTZIC RYE.

Highest (1840) 31 8	per cent.		per cent.	
Lowest (1839) 10 6	210	1838	163	

Namely, highest, 27*s.* 6*d.*; lowest, 12*s.*
Average price, 6 yrs, 10*s.* 8½*d.*

OATS.

Highest (1838) 14 0	per cent.		per cent.	
Lowest (1835) 6 6	133	1835	54	

Namely, highest, 10*s.*; lowest, 6*s.* 6*d.*

RIGA RYE.

Highest (1840) 28 0	per cent.		per cent.	
Lowest (1839) 15 0	86	1838	68	

Namely, highest, 27*s.*; lowest, 16*s.*
Average price, 5 years, 14*s.* 6*d.*

OATS.

Highest (1839) 20 0	per cent.		per cent.	
Lowest (1837) 10 9	100	1837	70	

Namely, highest, 17*s.*; lowest, 10*s.*

Now, Sir, when it is recollected, that after the passing of the Corn Bill of 1842, that the fluctuations of prices in this country have never exceeded 30 per cent in the food of the people, it must be evident, that those people who rely upon the principle that the repeal of the Corn Laws will create greater steadiness of prices, will find that they are much mistaken; for instead of prices obtaining greater steadiness, they must, by a repeal of the Corn Laws, be affected by the fluctuations of other countries. The late Mr. Huskisson, who has been always considered a good authority, and whose opinions have often been referred to, held the language from 1814 down to the period of his death, that the prices should remain steady, and it was fluctuation which most affected the interests of the country; therefore, Sir, if I have shown you that not only in wheat, but in rye and oats, the food of the people of those countries—that in all foreign countries, the fluctuations in prices have been much greater than in England during the existence of the sliding-scale; unless you are able to refute those statements of mine the ground is cut from under your feet, when you endeavour to impress upon the farmers that the country will prosper under a repeal of the Corn Laws to a greater extent than under that of the sliding-scale. Sir, we were told in the early part of this discussion, that it was for us to choose as our motto, "Advance" or "Recede." We were told by the right hon. Gentleman the First Lord of the Treasury, that if we made our election to advance, we should raise the watchword for all the nations of Europe and America—that there would be no State of Europe or America in which the friends of commercial freedom would not be encouraged. We were told that Prussia was already shaken. Sir, we were told once before, by the hon. and learned Member for Bolton, that Prussia was determined to retreat—that we had only to mitigate our laws regarding corn and timber, and that Prussia would immediately relax her restrictions. Well, Sir, we do largely relax, both in regard to timber and corn; but Prussia has not been shaken—Prussia has not relaxed—but has drawn closer the laws with regard to her trade with this country. Sir, we were told that if we relaxed, it would have a great effect upon the French Government—that reflecting minds in France would be enabled successfully to work with the Chambers of France, and the authorities which consist of the commercial interests of the country. Sir, when the right hon. Baronet comes down to this House, and states that the Government of France are willing to relax her laws, we take it for granted that the right hon. Gentleman has some formal information to that effect. But, Sir, what is the course that has been adopted by the Ministers of France? Do M. Guizot and the other Ministers seize the opportunity of expressing their admiration of the policy of England, and give the highest praise to the right hon. Gentleman? Far from it: they tell the people of France that France is not prepared to tread in the path of England. Sir, do not we find that France has not adopted the watchword, or attempted to avail herself of the relaxation in our duties? When we find that the promise of the right hon. Gentleman has no chance of being fulfilled, you are not entitled to say that she acts with any degree of reciprocity. The language used by M. Guizot is as remarkable as it is beautiful; and I am sure the House will excuse me for reading a passage from the report of the French Chambers on the 1st of April last. M. Guizot says—

"No one, Gentlemen, is a greater friend than I am to the influence of landed property, and, I will say, to the preponderance of the agricultural interests in a great country. I am convinced that that interest is the best and most solid foundation for the prosperity and the security of society. I am, then, for my own part, a very sincere and very decided friend of the influence of the agricultural interest in a great country. No one can deny that in England in particular it is the influence of landed property, of the agricultural interest, to the influence of what people have been in the habit of calling the territorial aristocracy, that England owes its strength, and a great part of its liberties, and its prosperity. England has found in that class what all great nations will find among the same class, while they search for it, the spirit of

conservatism and the spirit of independence at the same time; that is to say, the two great pledges of liberty and political power."

These, Sir, are the sentiments of one of the wisest Ministers that ever governed a great country. These are the sentiments of one of the wisest Ministers—of one of the wisest Monarchs, that ever reigned over France. These are the sentiments once entertained by Her Majesty's Ministers; and happy would it be, in my opinion, for England, if she now had Ministers sitting on those benches who entertained opinions expressed with so much eloquence in the Chamber of Deputies on the first day of April last. But, Sir, if such have been the language and sentiments of M. Guizot, it is for this House and for the country to consider what has been the language of this Minister so far as the proposed relaxations are concerned; and what his disposition to adopt a system of reciprocity. Speaking of Sir Robert Peel's plan, he says—

"Let us, therefore, lay the first portion of Sir Robert Peel's plan aside. It is a great and beautiful spectacle given to us, but there is nothing in it which we should hurry ourselves to take or to apply at home. Let us, then, look to the second. Gentlemen, the second part, the extension of competition as applied to the different branches of national industry, my hon. Friend the Minister of Commerce frankly told you yesterday was the very plan on which the French Government has been acting for several years past. It is true that in the matter of industry we are conversators, we are protectors. We intend to maintain the conservative system and the protecting system; but we also intend to modify, to enlarge, and to soften it in proportion as new wants may require, and as the change or new opportunities may cast up. Not only do we intend to do this, but we have always done it. How many prohibitions have been abolished since 1830? How many tariffs have been lowered? If a table of these abolitions and reductions were placed before you, you would see what progress we have already made in that course, truly liberal and reforming, while it is at the same time moderate and prudent."

I wish the First Minister of this country showed the same prudence as has been manifested by the Ministsr of a foreign country. What are the sentiments of the French Minister of Commerce? Speaking of the commercial reforms of the English Ministry, he says—

"The economical reforms proposed in the British Parliament cannot fail to have fixed the general attention. Those who think that we should not hesitate to imitate the example given us by the English Parliament, advise a premature and dangerous act."

I do not think, notwithstanding what has been said to the contrary, that Prussia will fall into our line of policy. I do not think that the success of the principles hitherto acted upon in Prussia will induce her to an abandonment of her present course. When the right hon. Baronet talked about Prussia, and anticipated such flattering results from the reciprocity system, I think he found himself in the same fool's paradise as was expressed by my right hon. Friend the Secretary at War, referring to the hon. and learned Gentleman the Member for Bolton. Prussia may, indeed, rejoice at being able to export larger quantities of timber and corn; but I do not think it will be found that she will import more of our cotton manufactures, of our printed calicoes, than she does at present. Now, Sir, with respect to America. Do you think the United States of America are prepared to abolish her hostile tariffs? Does the last news from America display any intention of adopting such a line of policy? I think not. It is apparent from the latest information, that there is no probability of her being able to spare the revenue which is at present raised by her high tariffs. Well, then, Sir, is there anything that has transpired since the last discussion upon the Corn Laws in this House, to make us lean more strongly to the policy of Government respecting them? Has anything transpired with regard to Ireland, out of which the right hon. Baronet can argue that the protective system ought to be done away with? Has that potato famine which it was at first predicted would occur in February—afterwards, as the debate wore on, was postponed till March—and then, as this discussion drew "its slow length along," was put off again until May, when it was solemnly declared, in prophetic tones, that that month would not have arrived until all his melancholy forebodings had been confirmed—has that famine, I say, Sir, arrived yet? The fulfilment of the last prophecy was postponed until July. Now, I ask the Government, has that potato famine happened? So far from it, Sir, I believe, generally speaking, the prices of potatoes have fallen, rather than increased in the course of the last few weeks. Unquestionably, there is far from being a famine anywhere; nor can it be said, except in a few localities, that there is even greater than even ordinary scarcity. Scarcity there may be—which, unfortunately, is nothing new in many districts in Ireland; but famine is quite a different thing. In Cork, we were told, the greatest scarcity prevailed. We were told that in the city of Cork there was great scar-

city. I can hardly believe that the destitution there can be so great as has been set forth. Cork, it is said, has one of the wealthiest corporations in Ireland; it is said to enjoy a revenue of 70,000*l.* or 80,000*l.* a year. And how much has this wealthy corporation subscribed for the relief of the people? 100*l.*!—100*l.* towards "the relief of the starving people of Cork!" Why, Sir, can any man of sense believe that the corporation of Cork, with a revenue of 70,000*l.* or 80,000*l.* a year, would subscribe but 100*l.* if they really believed that destitution existed to the extent stated by Her Majesty's Ministers, and in some of the reports laid before Parliament? But, Sir, I have other proof that the scarcity of potatoes cannot be altogether so great in the county of Cork as has been represented. I have a letter here from the chairman of the Great Western Steam Company, mentioning, that on the 1st of May the *Olive* packet arrived at Bristol with sixty tons of potatoes from the county of Cork. What are the gentry of Ireland doing? What is the Government of Ireland about, if famine prevails, that they do not buy up the potatoes and prevent their exportation? I hold in my hand a letter referring to another county, which, when distress prevails, has always been the first to feel it—I mean the county of Mayo—and what states this letter? It is from Mr. Browne, who was once a Member of this House. It is dated April 21, 1846, and addressed to my noble Friend Lord Stanley. It is perhaps as well to state that Mr. Browne is the agent, I should rather say the cousin, of the Marquess of Sligo, and that he manages the Irish estates of that nobleman. The letter is as follows:—

"Market Browne, Monday 21, 1846.

"My dear Lord—I have thought it right to permit three weeks to pass over since I last wrote, in order that I might be enabled to send your Lordship a report embracing the proceedings of these markets in our principal towns, and which generally regulate and determine the prices throughout the country: the markets of Westport and Castlebar, to which I refer, three weeks since, suddenly, and without any apparent cause, got into a very excited state, and prices of meal and potatoes advanced considerably."

It is not at all wonderful that the markets should be excited when Her Majesty's Ministers alarmed the country by declaring there was danger of a famine. When Her Majesty's Ministers, who, in former periods, have been looked up to as speaking nothing but the truth, as accurately describing the condition of the country, have, to serve their own purposes, raised an excitement by which they hoped to carry the repeal of the Corn Laws; it is little wonder the markets should have been disturbed, and that men's minds should have been excited. It is, I say, Her Majesty's Ministers, who by concocting a false alarm—who by exaggerating local appearances of scarcity into a general famine—it is they who have caused an unnatural elevation of the price of food, by raising a hope that those who bought it up for gain, would be able to sell it again at famine price. If the price of food in Ireland was at one period unnaturally high, it was in a great measure caused by the alarm wickedly and unfoundedly raised by the Government. The letter goes on to say—

"But the two last market prices of potatoes and meal have returned to the most moderate rates, with supplies, which, both in quantity and quality, have never been exceeded at this season of the year—indeed, the supply of potatoes at Westport, last Thursday, was so great, that a considerable portion had to be stored from want of purchasers; and, at Castlebar, Saturday's prices were drooping, with a full supply and quality excellent: the present prices throughout the country may thus be quoted:—Perlor potatoes, first quality of the article, from 3½*d.* to 4*d.* per stone; lumper potatoes, second quality, 2½*d.* to 3*d.* per stone; oatmeal in the greatest abundance at from 14*s.* to 15*s.* per cwt. Here we have not the slightest excitement on the score of famine, or even scarcity; for every one feels confident that the former is impossible, while the latter, if it comes, can be easily met by the supplies already secured for themselves by the great bulk of the population, and with the huge amount of oatmeal in the hands of merchants and petty speculators throughout the country. In short, every day's experience strongly points out the exaggerated statements which the Government have thought it right to put forward as a foundation for their ruinous proceedings, which will prove much more rotten than their poor potato allies. The county surveyor, Mr. Best, a most intelligent man, and who, for the last month, in attendance at the usual and extraordinary road sessions, has been lately in every hole and corner of the county, no later than Saturday, in the course of a long conversation with me, told me that he had no fears about famine; that even a scarcity he did not think was to be apprehended beyond a period of three or four weeks between the old and new crop; and that he knew that there were ample supplies to meet every possible demand. The present distress, he says, is to be found in little over-peopled spots, the property of poor, negligent, or absentee landlords, who under any circumstances, must be wretched at this season of the year. He says that he has no hesitation in saying that there never was such a delusion attempted as the idea of famine in this part of Ireland. Lord Lucan's agent also told me on Saturday, that he apprehended not in the least even a serious scarcity; that Lord Lucan had sent him instructions a few days previously to purchase fifty tons of oatmeal for his tenantry; but that he replied to Lord Lucan that he did not think it ne-

cessary to make the purchase, both on the grounds that he did not believe the tenantry would require it, and that most likely, from the abundance of supplies, prices would be much more moderate in a month than now. The next great property is Sir Roger Pitman's. His agent takes exactly the same view of things as Lord Lucan's, and as to Lord Sligo's huge principality here, for, in truth, from its extent, it may be so termed, we have no fears, for the people on it have as yet plenty, and anything that is wanting, should there be a little pressure, Lord Sligo will himself find. Under all these circumstances, as you may suppose, we are in good spirits here; and if the Government will be charitable enough not to try and convince us that we are dying of hunger and disease, while we are contented, hale, and hearty, we shall weather the storm that they, with such industry, have raised wantonly, and cruelly; it must be said that they have (like in all such matters) been obliged to bolster up their first exaggeration (a mild term), by adding a more gross story in the matter of pestilence, which is not at present to be heard of anywhere."

I have shown you then, that in Mayo, the highest quality of potato, ranged at $3\frac{1}{2}d.$ to $4d.$ per stone, and the second quality from $2\frac{1}{2}d.$ to $3d.$ per stone. I have also shown you that oatmeal has varied its price, at from $14s.$ to $15s.$ a cwt. Does that betoken scarcity? I think I have given you a fair picture of the actual state of things in Mayo. I will now turn to Tipperary. And first I will quote the statement of the correspondent of the *Dublin Evening Mail* of May 1; he says—

"The labourers in the South Riding of Tipperary refuse to work for less than $1s.$ $4d.$ a day, which is an advance of $4d.$ per diem on the rate of wages paid last year. In most cases the farmers have been obliged to pay the advance, otherwise their lands would have remained uncultivated this spring. The best potatoes were selling in Cashel last Saturday at $4d.$ a stone of fourteen pounds. Cashel is the most extensive market for potatoes of any in the county of Tipperary, and generally regulates the prices of those rates in all the other markets of that country, being the place from which the colliers of Slieveardah are principally supplied. The demand at present is mostly for seed potatoes, to be put into the ground during the month of May. As yet no very extraordinary scarcity appears; and it is thought that, after the planting season is over, the prices must fall considerably, and indeed, that those of inferior quality will be then altogether unsaleable. Indian meal is beginning to make its appearance, and the prejudices against its use are wearing away. The mining colliers use it abundantly, and they are accustomed to better food than agricultural labourers. The miners seldom cultivate any land, but depend almost entirely on the markets for their subsistence. Their wages are good, being from $2s.$ to $2s.$ $6d.$ per day, according to abilities."

But, Sir, I have other letters from Tipperary. I have one from Lord Glengall to the Earl of Charleville, of which I will read an extract to the House. It is dated Caher, April 20, and the passage runs thus:—

"With respect to the outrages which have taken place at Clonmel and vicinity, I have to state, that on the 17th instant, the magistrates of Clonmel met, during the turmoil, and represented to Government that the outrages which have taken place in that town and neighbourhood, particularly the attack on the boats, have not been committed by the destitute poor; that though destitution does exist to a great extent, it is made by others a pretext for an insurrectionary movement of a very dangerous character, which, if not immediately checked, may be productive of very serious consequences; that parties of loose character, at night, went to the farmers residing at the foot of Sliem, Naman Mountain, and obliged them to join the movement, and give their carts for the purpose of placing them at the bridge of Killshelan village, in order to carry away the plunder taken from the boats of the Clonmel merchants; they also stated, that on the day previous (the 16th) they had information of a large party of armed men being at the above bridge. For my own part, I can confidently state, that it is the unanimous opinion of the authorities that these outrages have been principally, if not wholly, committed by mere plunderers, and by mobs of farmers' servant men, temporarily hired, and other loose characters, strangers in this country, who, this season in every year, wander about the country, looking for employment. I should add that Clonmel cannot be excelled by any town in England of same extent, for more steady, regular, and constant employment of mechanics and the labouring classes."

With respect to the price of potatoes at Clonmel, when the returns were made to this House, they were stated at $5d.$ and $5\frac{1}{2}d.$ per stone. On the 18th of April, as appears from a return in my hand, good potatoes were in the next principal town, and in the same county, Cashel, only $3\frac{1}{2}d.$ per stone—a sufficient proof that the temporary rise in the markets was the effect of sudden excitement. I believe it is notorious that the disturbances which occurred in Carrick-on-Suir did not arise from the destitution of the rioters, for it is stated that two of the ringleaders had, the one a bank receipt for $20l.$, and the other a bank receipt for $50l.$ in their pockets when arrested. It has been very currently rumoured that Mr. Gulson, one of the Poor Law Commissioners, was sent to Ireland for the purpose of ascertaining the actual state of things there, and that the result of his observations would not permit him to confirm the statements of the Government. I think, at all events, that if a gentleman of the character and station of a Poor Law Commissioner has been sent to Ireland for the purpose of ascertaining the truth of the reports as regards the scarcity there, we have a right to expect that such information should be laid before

Parliament. But it would seem that all information has been assiduously kept back from us, which would go to prove that the statements of the Government were incorrect, and that every document which could in any way sustain these statements has been with great pains and industry supplied. I will read an extract from the *Evening Mail*, showing the state of things in Loughsheelan:—

"Your panic-mongers have eaten dirt, and are regorging it in apologies and excuses for the low prices which potatoes have fetched throughout the country for the four last months. One authorized reporter assures us that this unforeseen anomaly is owing to the farmers drafting them off to market in order to get rid of them before they become tainted or rotten. This reasoning has been cheered and echoed in the House of Commons from day to day; and yet, here we are on May-eve, the period fixed for the total exhaustion of the produce; and so far are the perverse potatoes from fulfilling the prophecy, that they are actually coming in the market in greater abundance than is required by the consumers as food, and of those also who want them for seeding their land. Nay, more, it is the opinion of the best informed upon the subject—and I have spoken to many whose knowledge and inquiries are extensive—gentlemen, farmers, and labourers—that as soon as the planting season is over, we shall have good, sound, healthy potatoes, much cheaper than they are at present. There is great demand for labour throughout the country, at advancing wages—the current prices being from 1*s.* to 1*s.* 3*d.* a day, without diet; and with diet, 1*s.* There is much spring work yet undone; and until that is finished, the demand for labour will continue as brisk as it is at present. The weather of late has been as favourable to health as to farming operations. There is no fever in the country that I could hear of."

The correspondent of the *Dublin Evening Mail* goes on to speak of Granard:—

"At Granard, on Monday last, there was an immense supply of potatoes, at from 3*d.* to 4*d.* a stone. Many cart loads remaining unsold were brought home by the owners, greatly disappointed that their promised high prices could not be realized. Kilnalek market, on Thursday, presented the same features. The market of Cavan, on Tuesday, was abundantly supplied with potatoes of excellent quality, at prices varying from 3½*d.* to 4¾*d.* a stone. Oatmeal brought from 14*s.* 9*d.* to 15*s.* 3*d.* per cwt. On the preceding Thursday, nearly one-half of the potatoes remained unsold, and was carried back by the owners. The best could be had in the evening at 3*d.* per stone."

And, as regards the market price at Ballyjamesduff, the same correspondent says—

"At Ballyjamesduff, where (if Parliamentary Reports are to be credited) the scarcity is said to be so great as to drive people to suicide (!), the market on the 21st of April was glutted with the supply. Many cart-loads of good, sound, healthy potatoes left the market unsold, though offered so low as from 3*d.* to 4*d.* a stone. One instance will suffice to show, that so far as this kind of food is concerned, we have no lack of it. A farmer sold a cart-load of sound, excellent seed potatoes early in the day at 3½*d.* a stone, and received from the purchaser half-a-crown as earnest. The market price fell, and he left the potatoes with the farmer (whose name and place of abode our correspondent has furnished us with) forfeiting his half-crown; and they were brought home in the evening by the owner. The potatoes were unexceptionable; excellent healthy seed. In fact, so far as the greater portion of the county of Cavan is concerned, the supply, to my knowledge, far exceeds the demand."

The following is from the *Mayo Constitution*:—

"We are happy to state that provisions still continue at moderate prices in this town. Indeed we cannot say that a scarcity is to be feared in this neighbourhood. Potatoes rated on Saturday last, at from 3½*d.* to 4*d.* per stone; meal, at from 14*s.* to 15*s.* per cwt.; and when we compare these prices with those of 1844 and 1845, we think we have grounds for our assertion. Potatoes sold in April, 1844, in this town, at from 2½*d*, to 3*d.* per stone, and meal from 11*s.* to 12*s.* per cwt.; and in 1845, potatoes from 2½*d.* to 3½*d.* per stone, and meal from 10*s.* 10*d.* to 12*s.* per cwt."

I will read another extract from the *Clare Journal* of May 1. It is headed "Plentiful Supply of Potatoes:"—

"Our two last market days were absolutely overstocked with this edible; and in the memory of the most experienced market men, seldom has a better description or a larger supply been witnessed here; they seem to have resuscitated and come forth in their primitive fame and comeliness, to cheer the heart of brother Pat in his most desponding moment. There has been a marked similarity between the disease by which they were partially affected, and that of the frightful pestilence, cholera, which committed such ravages in many families, while their neighbours totally escaped its scourge—the crops of many turned out prolific and sound, and so continued; when others—unfortunately the most struggling people—suffered most by the visitation; and a loss in a poor man's customary food, he being solely at the mercy of casual labour, overpowers and brings him to a state of pauperism. Were it not for the failure, of which we have heard so many complaints—greatly exaggerated we are sure they have been—potatoes would be almost a drug in this and other markets. There were 140 tons brought into Sligo market on last Saturday, which sold from 1*s.* to 1*s.* 5*d.* per peck, the latter priced being cups and apples of a superior kind—diseased potatoes are fast disappearing; those brought in for sale bring from 6*d.* to 8*d.* per peck, about the eighth portion being tainted. We have been assured by respectable farmers that they have sustained but small loss in this way, having given them to cattle, which seemed to relish and thrive on that food. One-half the oatmeal, two tons, at 15*s.*, brought in for sale, was left unpurchased."

I could read numerous other statements of the same tendency referring to other Irish counties; and it is in vain for Her Majesty's Ministers to say that any thing has occurred since the commencement of the debates as regards famine in Ireland, which could justify the right hon. Baronet at the

head of the Government in saying that those laws which he had hitherto admitted to be impolitic, he now deems to be unjust. I think we are entitled to know before we go into Committee on this question, what are the new circumstances which have come to the knowledge of the right hon. Baronet, which has caused him for the last time to change anew his opinion. With regard to this potato famine, I have before referred to the speeches of the French Minister. I will again refer to the official letters published in the month of November last by the French Minister, M. Cunin-Gridaine. When the alarm of famine was raised in France, M. Cunin-Gridaine did not tread in the footsteps of the English Minister; he did not attempt to exaggerate the alarm, and cause panic or excitement in the minds of the people of France. But on the contrary, he addressed an argumentative letter to the *préfets* of France, which was published in all the journals, and in which he calmly entered into a full discussion, and brought the people of France to the conviction that there was no just ground for excitement or alarm, either in France or in any other country in the world. And what was the result? The result was, as I could show by the corn circulars by me, that the prices of corn in Paris rose less than in any other country in Europe. The good sense of the English people, too, went far to correct the mischief attempted by by Her Majesty's Ministers — the good sense of the English people showed them that the stack-yards of the farmer were fuller than they had been ever before known—that there was abundance of corn of all descriptions—they reflected upon the large amount of grain in bond, and they knew that there was more corn in the granaries than in most former years, and that thus they would not be hurried into that feeling of hopelessness and desperation which the statements of the First Minister of the Crown were so well calculated to create. Now, Sir, I come to the address of the French Minister of Commerce to the Prefects of France. He writes on the 15th November—

"I deem it useful to fix our opinion on the subject, in order that you may guard against exaggerations, and to furnish you with the means of reassuring the people, always so easily alarmed in matters relating to provisions."

How different is this from the course pursued by the Ministers of England! Then he goes on to show what probability there is of a deficiency in the present year's provisions as compared with the last; and he argues that every year, at the same period, the prices have a tendency to rise, but that at the beginning of another year they begin to fall again. I remember a statement also made by the Minister of Commerce, in which he said that alarm had been created by the state of the potatoes in Ireland; but the news which the day before, that is, on the 14th of November, he had received, assured him that this cry of a potato famine in Ireland had been greatly exaggerated. Thus, Sir, so far back as the moment when the Minister of England was exciting the greatest alarm in this country, the Minister of Agriculture and Commerce in France was assuring his country that he ascertained that the statement with regard to the famine in Ireland was altogether exaggerated. But, Sir, I have other authorities, showing how much and how fully the facts have been exaggerated. Mr. Campbell Foster, the *Times* Commissioner, in one of the last letters he addressed to that paper, says—

"We must also remember that the cry about an Irish 'famine' does not proceed from uninterested parties. The Irish peasantry will make a 'poor mouth' because they hope to get some of England's bounty, and to escape paying their rent. The Irish landlords generally have no reason to contradict the cry in this country, for if John Bull is persuaded that the Irish are starving, his sympathies will be roused, and whatever he pays or gives to Ireland will find its way to the landlords' pockets eventually; at any rate, it will stop a hole in the gap of necessity, which they must fill up themselves if John Bull does not, for the peasant will consume the rent rather than starve. And lastly, at this juncture, Sir Robert Peel and the Government listen favourably to such an outcry, for it greatly aids the success of their measure regarding the Corn Laws."

Here, then, in this disposition favourably to listen to the cry of famine in Ireland do we find the cause of those reports which have exaggerated so much the state of Irish scarcity and famine. But while upon this subject we have 414 reports from 414 districts in Ireland, I want to know why we have not the other reports received from other districts laid before us? Sir, I have now stated my reasons for thinking that, at least as regards Ireland, no new information has sprung up which at all justifies Her Majesty's Ministers in dealing with the Corn Laws. I have shown that, as regards Prussia, as regards France, and as regards America, the vague promises which were held out by Her Majesty's Ministers, that, by adopting these free-trade measures, we should encourage the Governments of those countries to relax their restrictions in fa-

vour of our trade, have all been disappointed; and therefore that, unless Her Majesty's Minister can get up a show that there are some new facts which he can bring to our knowledge, not yet imparted to the House, I think, Sir, I am justified in opposing your leaving the chair, and in moving that you leave the chair this day three months.

SIR R. PEEL: Sir, I shall, in the first place, notice that part of the speech of the noble Lord, the concluding part, which referred to the position and circumstances of Ireland; and I certainly did little expect, after the information that has been laid upon the Table by Her Majesty's Government, not an unfair selection of facts as the noble Lord states, but the full and entire reports received from the Scarcity Commissioners appointed by Government—I say, Sir, that I did not expect any hon. Gentleman would now rise in this House and deny the allegations contained therein. I know very well that scarcity is not universal in that country. I know that there are parts of that country in which the disease which has generally attacked the potato either does not exist at all, or at least does not exist to that calamitous extent which prevails in other parts; and you may find gentlemen living in the immediate vicinity of those more favoured parts, writing letters with the view of showing that there is, after all, no great rise in the price of these necessary articles of food. You may multiply those letters from particular counties, which, as far as they go, appear to give a contradiction to the facts which we have laid before you. Nevertheless, it is, I say, impossible to doubt the statement that there does exist in that country great scarcity—that there does exist much disease, growing out of that scarcity of food, in many parts to almost an unparalleled extent. The remedy which we are now applying to those evils is the purchase of food in order to provide subsistence to a population who would otherwise be subject to the most frightful privations. Out of what source do those means come? Is there a great fund at the disposal of Government applicable to the purchase of food for the subsistence of the Irish people? No; the source from which these purchases have been made is the taxation of the United Kingdom. The noble Lord says, "Why, there were six hundred tons of potatoes brought out of Ireland for the supply of Liverpool and Bristol." Is it the remedy the noble Lord would propose, to interrupt this natural supply of food for this country, by purchasing it out of the money raised by the general taxation of the kingdom? The noble Lord charges us with indifference, because we did not purchase from this stock which has been sent for the ordinary supply of the people of this country. There have been, no doubt, reductions of prices in some of the Irish markets; but how has this been caused? Why, because we have been purchasing large quantities of Indian meal, and thereby checking the price of potatoes by the supply we have kept up of that article—an article of food purchased by us with the public money. I refer, Sir, to the several reports which have been laid upon the Table; and I ask the noble Lord whether he thinks that there is a universal conspiracy on the part of these gentlemen in Ireland to misrepresent the condition of that country? whether he thinks they have conspired to state that famine and disease do exist, when the real fact is there is no foundation for such assertions? We have not withheld from the knowledge of this House all the information that has reached us; and the House will judge whether we are justly chargeable with any exaggeration of facts for the purpose of facilitating the passing of the Corn Law measure. The noble Lord says, that we are countenancing delusion. Now, that is rather a heavy charge. How came the noble Lord himself to say, that he would consent to an extraordinary measure, namely, that he would permit for a period the importation of food into Ireland free of duty? Did not the noble Lord give a willing consent to the adoption of such a course? Well, then, you believe that that would be a remedy for the evils of Ireland; and yet, the noble Lord believes that there is no foundation for stating that famine exists in Ireland. Well, then, if that be so, what could induce the noble Lord to consent to such an extraordinary measure as allowing the importation of foreign corn and provisions into Ireland free of duties? If it is the duty of the Legislature to undeceive the people, and not to countenance delusions, it is clearly incumbent on those who, entertaining the same opinions as the noble Lord, see no necessity whatsoever for any change in the law, to resist the proposition for such an extraordinary measure as that. [Lord G. BENTINCK: Hear, hear.] I confess I do not quite understand that cheer. This is what the noble Lord says—

"I believe that the importation of foreign provisions into Ireland duty free would be no remedy whatever for the present evil. I believe what the people of Ireland want is the money to purchase that food, which I think is abundant; but still I will consent to such a measure for the present."

The noble Lord, however, now says that there is no particular necessity in Ireland for any such change in the law. He says—

"I do not think that there is any necessity for resorting to extraordinary measures. I think that a resort to extraordinary measures would but have the effect of countenancing the existing delusion, and of keeping up the price of food."

And yet the noble Lord is ready to countenance that delusion by permitting the importation of provisions into Ireland duty free. Am I wrong in saying that the noble Lord is ready to consent to such a step? And upon what ground? Why, because the Irish Members wished it. Well, but they could only have wished it under a strong impression that there was a necessity for such a measure. Among the whole body of Irish Members there was such an alarm on account of the scarcity of food in Ireland, that they felt it was necessary, in order to procure an adequate supply, to ask for the suspension of the law which imposes duties upon foreign provisions. The noble Lord then, it appears, believes that the Irish Members, generally, wish for such an extraordinary measure; and he is, therefore, willing to consent to it on this ground. The noble Lord at one time thinks that there is a conspiracy to deceive this House; and at another he is willing to trust to the assurances of the Irish Members that this scarcity does exist. I was certainly under the impression that the noble Lord did feel there was a scarcity of food in Ireland to justify the extraordinary measure to which he had consented, because I perceived that he did not express his willingness to yield in the same way to the opinions of the Irish Members on another subject—those Members that are opposed to the passing of the Coercion Bill. A case I considered was proved—that there was a necessity for the Coercion Bill: that case was established against the wishes and the opinions of the majority of the Irish Members. Notwithstanding the expression of such opinions, the noble Lord refused to oppose that Bill. If, however, the noble Lord really thinks that there is no cause for these statements as to scarcity in Ireland, and that nevertheless he is willing to consent to the extraordinary measure of suspending the law which imposes duties upon foreign provisions imported into Ireland, in deference to the opinions and the wishes of the Irish Members, why in like manner did he not conform to the opinions expressed by the same Members in reference to the Coercion Bill? Why did he permit himself "to countenance the delusion which was calculated to raise the price of food, and to aggravate the evils of that country?" Sir, you will find that this Irish case will not be limited to this year. The temporary suspension of the law as far as Ireland is concerned, is not sufficient. You will find in the course of this year a much smaller quantity of land dedicated to the growth of potatoes than at any former year. This has arisen—first, from the unwillingness of the farmers to let their land on conacre, for fear of not receiving their rent for it; and, secondly, from the apprehensions in the minds of the cottier and peasant, that the same disease would affect the potato in this year that so generally prevailed in the crops of last year. You must, therefore, calculate upon the probability of this pressure extending beyond the month of August next; and next year we will have to provide again for a deficient supply. So far, then, as Ireland is concerned, I absolutely deny that there has been any exaggeration on the part of the Government. I peremptorily deny that there has been anything like intentional exaggeration on our part for the purpose, as has been alleged, of facilitating the passing of the present measure. A Government that sees the progress of this disease, and is responsible for the well-being and protection of the people from famine and scarcity, has highly important and responsible duties to perform, which, if neglected, and those reasonable precautions not adopted, intolerable evils must consequently be felt which might have been obviated. Universal condemnation would be naturally pronounced against the Government that should run that risk, and neglect these reasonable precautions. And this censure is now lavished upon us by the noble Lord and his party for what they call our superfluous precautions. With ten times more force and ten times more justice would this censure be applicable, if, presuming these reports before us to be true, we had neglected the precautions of increasing the supply of food in Ireland. The noble Lord says, I stated the other night that in the course of this discussion, the opinion which I had entertained upon

the subject had undergone a change, and that those restrictions which I some time since thought impolitic, I now believe to be unjust. Sir, I adopt and deliberately repeat that statement. I do believe the restrictions upon the importation of food to be inconsistent with justice and sound policy. The noble Lord may have a right to blame me for making that discovery at so late a period, and may say that I ought to have seen this injustice at least three or four years ago. I admit, Sir, that those who have intuitive perception to tell them that which is right in respect to matters relating to commercial policy—I admit, Sir, that those who, after patient and deliberate consideration, adopt at once the right course, are much more entitled to the credit attending such a course of policy, than others who, at a later period of life, adopt their sentiments. But it is the duty of those who have reason to change their opinions, to have the manliness to come forward and own their convictions. Sir, I think it is dishonest for a man, after being convinced upon a particular subject, to endeavour to gain credit for consistency, by being either unwilling or afraid to admit the change. I admit that this alteration in my opinions may disentitle me to the noble Lord's confidence; but I must recollect that the question for the country is not a personal one. It is not a question as to what period a man has changed, or ought to change his political opinions. The real question is—are these measures consistent with justice and sound policy? That, Sir, is the only question which we have now to consider. If you blame me for not having discovered sooner the necessity of such a measure as the present, you may say that this circumstance disentitles me to your confidence; but that will not enable you to escape the necessity of arguing this question on account of personal imputations. Are these restrictions politic and just? I have no hesitation in saying, I do not think they are consistent with justice. But the noble Lord says, I ought now to state the grounds for this opinion. I had no reason to believe that this discussion would have come on to-night. I thought that it was to be taken upon the third reading; and I had not the slightest reason to suppose that the noble Lord, in the exercise of his discretion, would have made a demand on me at any period of this discussion for the grounds of my opinion. But, as the noble Lord requires me to do so, I will assign the grounds upon which, after mature consideration, after hearing these debates, and even after having listened to the speeches of the noble Lord himself, I have come to the conclusion that these restrictions are not politic, and are not consistent with justice. I do not think that you can defend any restrictions upon the importation of food—that is, to increase the natural price of food by legislative intervention, except on some great public reasons connected with the public good. I think, Sir, the presumption is against those restrictions. The natural presumption, I think, particularly in the House of Commons, which has already adopted the principle of freedom from restriction in respect to almost all other articles of importation, is in favour of the unrestricted importation of food. Consistency on the part of the House requires that the same principle that has been applied to almost all other articles of foreign produce shall be applied in like manner to food, unless you can, for some reason connected with the general and the permanent welfare of the country, establish a distinction between food and all other articles of produce. You must in fact show that it is for the general interest of the country that these restrictions should continue. Sir, it is because I cannot with truth allege that if you establish free trade in corn, you will probably become dependent upon foreign nations for your supply of the necessaries of life—it is because I do not believe that the rate of wages varies directly with the price of food—it is because I cannot persuade myself that with respect to the intelligent farmers, it can be considered that this protection is necessary to agricultural prosperity—it is because I cannot establish these facts, I have come to the conclusion that the natural presumption in favour of unrestricted importation ought to prevail, and therefore that it is unjust to continue these legislative restrictions upon food. I feel it absolutely incumbent on me to maintain one or other of these propositions. I have listened to the argument that in this country, with a very heavy taxation, there was a reason for the continuance of the duties upon the import of corn. Upon mature consideration and reflection, I believe that argument to be totally without foundation. I believe it is impossible to assign the high rate of taxation as a valid reason for continuing the duties. I believe it to be illogical to contend that because the great mass of the community are heavily taxed, and necesrarily heavily taxed, in respect to the consumption of many of

their commodities, therefore that is a good reason why they should also be taxed in the price of their corn. I do believe, also, that by increasing the resources from which you draw your supply of food, by bringing it from the United States, from Odessa, from the Baltic; by increasing the number of countries in different latitudes which can feel an assurance that the British market will be open to them, and that there will be no operation of a sliding-scale to exclude their produce; you will receive supplies from so many sources, that dependence on any one nation will be impossible. I cannot contend that the probability of dependence upon foreign nations constitutes a reason for maintaining the Corn Laws. Look now at the different classes of the community. Take, first, the manufacturing population. Is it just towards them to continue these laws? Can we maintain, by argument, that the great mass of that population which depends for the means of purchasing its subsistence upon daily labour, and are employed in manufactures—can we contend that they are interested in the maintenance of these laws? If you tell me that the maintenance of these laws will ensure them a more abundant supply of corn at a low price—not this year, or the next, but taking the average of a series of years—that the maintenance of these restrictions will ensure the abundant supply of corn at a lower, or, if you will, at an equal price: I admit that is an argument for their continuance; but I do not admit that your argument is well founded; and when I am asked, as I have been continually, what do I calculate the price of wheat hereafter will be, and whether it will not disturb the Tithe Composition Act; and, as the Corn Laws are calculated to bring 56*s*., do I not calculate it as highly probable that the price of corn hereafter will be 40*s*.—when I am asked these questions, they afford a strong presumption, that in the minds of those who put them the unrestricted import of foreign corn will have a tendency, if not to reduce the price of food, to prevent any considerable increase of the price? The apprehension that the Tithe Composition Act will be permanently deranged by permitting the free importation of wheat, must proceed on the assumption that the calculations are erroneous, and that wheat hereafter will be at a low price. With respect to the great manufacturing population, can we contend that it is for their interest that the price of wheat should be enhanced by restrictions upon corn? I do not believe that the price of food will be enhanced by the removal of these restrictions—I do not believe the removal of the restrictions will have a tendency to increase fluctuations. I believe, therefore, that the great mass of the manufacturing population will be doubly benefited by the removal of these restrictions: first, by increasing the demand for those manufacturing articles upon which their labour is expended; and, in the next place, by giving them, from the wages which they receive, a greater command over the necessaries and comforts of life. I think that will be the double operation of this repeal in the Corn Laws; and, therefore, as far as that part of the population is concerned, I cannot maintain the continuance of restrictions on the ground of benefit to them. Now, with respect to the community at large, consider the article wheat, and the producers of that article, for whom principally these restrictions are to be maintained, maize being already admitted duty free, there remain only oats and barley, besides wheat, on which the duty falls; and I apprehend there is no such danger of competition, in barley at least, as would lead us to expect a great diminution of the price of barley by increasing the supply from abroad. There remain, then, wheat and oats, and principally wheat, for which the restrictions are maintained. Let us consider what parts of this country, and how much of it, are districts producing wheat. I apprehend that no one will dispute that the wheat plant requires to ripen it a considerable heat of the sun; and if you were to divide Great Britain by a line drawn from Inverness to Southampton, I think you will find the wheat-growing districts to be, to a considerable extent, to the eastward of that line. I do not mean to say, that to the westward of that line, as in Somersetshire and Shropshire, you will not find wheat-growing districts; but, speaking generally, both in Scotland and England, you will find the wheat-growing districts to be to the eastward of a line drawn from Inverness to Southampton. I say, then, that all that portion of the country which lies to the westward of the line has no interest in the restrictions on the importation of wheat. I do not apprehend that the agricultural portion of Lancashire is at all interested in maintaining the restrictions on the importation of wheat; and my belief is, that the wheat-growing districts of this country are, comparatively speak-

ing, a particular portion of this country, on account of its exposure on the eastern coast, and freedom from the humidity of the western coast; and that with respect to a great portion of this country—nearly half of it—it would be difficult to show that the agricultural interest gains any advantage from a law which increases the price of food. I think the noble Lord himself read me a pretty strong lesson the other night to show that Ireland is not much interested in the continuance of these restrictions, because the noble Lord on a former night described the position of the Irish farmer to be this. He said that Lord Essex had declared, that a farmer with large capital and much skill might contend against unrestricted import; but Lord Essex, speaking of farmers without capital and much skill, said it would be difficult for them to contend against unrestricted import; that there are 588,000 farmers in Ireland, and that they will answer the description, speaking generally, as a mass of persons without capital, and certainly without skill. Well then, I ask, what has protection done for them? Is it the fact that there are at this moment 588,000 persons employed in the promotion of agriculture in Ireland, with their families dependent upon them; and that it can be truly asserted of them that they are farmers without capital and without skill? If it can be asserted generally of the farmers of Ireland, as a class, that they are men without capital and skill, can we contend that protection has been for their interest? To make the assertion that they have realized no capital, is a very strong proof that protection has not been for their benefit. Then, with respect to the agricultural labourer. Can we say that protection has operated for his advantage? Ireland is peculiarly agricultural; can it be said that the agricultural labourer has flourished in Ireland? Is it not the case, that in the part of the country where the agricultural labourer most abounds, he has been suffering from scarcity and the pressure of hunger? What is the answer made to our statement of the sufferings of the people of Ireland? "This is nothing extraordinary—this is nothing unusual—this is nothing out of the common course of nature; every year this is the same; there are districts where, every year, the potato crops fail, where it is impossible to make the two ends meet; the potatoes fail in June or early in July, and from that time till the new crop is dug up the labourer is obliged to subsist upon charity, or whatever means will suffice for the purpose of maintaining life." If that be, as you say, the normal state of the Irish agricultural labourer—if that be his ordinary condition, and therefore we are not justified in an extraordinary remedy—can we contend that protection to agriculture has been greatly for the benefit of the agricultural classes in Ireland? Take it as you will—either that the present is an especial case, and then our special remedies are justifiable; or if, on the other hand, you are correct that there is always prevailing throughout six months in the year destitution and famine—admitting your allegations to be correct, can you have a stronger impeachment of the state of the law under which this is the condition of the agricultural labourer? I cannot admit, then, that the continuance of these restrictive laws is advantageous to the manufacturing interest, or for the interest of that class in Ireland which is immediately connected with them. With respect to the agricultural class here, I do not deny that this change in the law will be altogether unaccompanied by distress. I cannot deny that so great a change can be made without involving some in distress. I deeply regret it. I wish it were possible to make any change in any great system of law without subjecting some persons to distress; but is it not the fact that the parties who will be most distressed of all will be those who have neither science, nor skill, nor capital? Is it possible permanently to maintain a law which cannot be shown to be advantageous to the men of science, capital, and skill, but which can only be maintained in order to give the means of subsistence to those who have not science, capital, and skill? Should we be justified in maintaining these laws, and taxing the food of the great body of the community, on the allegation, not that they are necessary for the protection of agriculturists who have science and skill, but that they are necessary for the protection of those who go on adhering to the old system, and have neglected the means of improvement? If you cannot permanently maintain the laws, my firm impression is that the sooner you make known to the country what is your ultimate decision the better. I believe that the bulk of the agricultural interest is also of that opinion. I believe that the agricultural interest is desirous of ascertaining the ultimate decision of Parliament with respect to the present system. That is my decided opinion. I believe that the agriculturist

with capital and with skill, not only derives no advantage from these laws, but is subject to prejudice on account of them. I believe he has no interest in the maintenance of them. I do not deny that in these cases of change, from the absence of capital and from the absence of skill, there might be, and probably must be, some temporary suffering; but what I deny is, that you could found a permanent system of protection upon the necessity of protecting that class; and if you cannot found a permanent system upon that ground—if they are not for the advantage of capital and skill as applied to agriculture, their duration is, I believe, necessarily temporary; and if it be temporary, the sooner a permanent arrangement is made the better. ["Hear!"] The hon. Gentleman who interposes may have reason to show why the argument is worthless; but that is the ground on which I entertain the opinion that a real and permanent settlement of these Corn Laws is desirable for the whole community. The noble Lord says he wishes that the Minister of England would adopt the language of the Minister of France as to the advantage of maintaining a territorial aristocracy, considering the existence of a territorial aristocracy as essential to the maintenance of the Conservative principle. I am very much disposed to adopt the doctrine of the French Minister. I believe it to be of the utmost importance that a territorial aristocracy should be maintained. I believe that in no country is it of more importance than in this, with its ancient constitution, ancient habits, and mixed form of government. I trust that a territorial aristocracy, with all its just influence and authority, will long be maintained. I believe such an aristocracy to be essential to the purposes of good government. The question only is what, in a certain state of public opinion, and in a certain position of society, is the most effectual way of maintaining the legitimate influence and authority of a territorial aristocracy; and if I thought that the continuance of this protection law was essential to the maintenance of the territorial aristocracy, I should see in that very fact a difficult argument, but still a very strong ground for the maintenance of the protection. I should see remote consequences to be attained, great social advantages to be procured by an apparent departure from the strict principles that govern other branches of commercial policy; but what I doubt is, whether it be the real interest of a territorial aristocracy to attempt to maintain its authority by continuing the restriction on corn. There are certain periods in history when this can be done. The question is at present, will the just legitimate influence of the landed aristocracy be better maintained by consenting to forego this protection, or insisting upon the maintenance of it? My firm belief is that you will more increase the just influence and authority of that body by now foregoing this protection than by continuing it. No author or statesman has dealt more fully and forcibly on this subject than Burke. And what does he say? Mr. Burke says, that it is absolutely essential that a territorial aristocracy should be maintained in this country; that it has taken the lead in all great measures of reform; and that, on the other hand, it has been the great strength and stay of a Conservative Government. He says, how is it that the territorial aristocracy of England has maintained this influence? Because, he answers, it has always identified itself with the people; it has never pertinaciously insisted on the maintenance of a privilege when the time for foregoing that privilege had arrived. He draws the contrast between the aristocracy of England, wisely consulting public opinion, relinquishing privilege when the time for the exercise of privilege had gone, and the territorial aristocracy of France, insisting upon the maintenance of privilege long after that period. On a former debate, my hon. Friend the Member for Dorset compared me—and he thought he was passing a severe sarcasm—I thought it a compliment—he likened me to M. Turgot, and thought I was laying the foundation of revolution in this country by adopting and applying the principles of Turgot. Does my hon. Friend not feel that if the doctrines of Turgot had been applied at an earlier period—that if the aristocracy had not insisted on maintaining their privileges—that the revolution of France would not have been precipitated, and that the evils of that eventful period would have been diminished? Does not my hon. Friend feel that it was the unjust maintenance of bygone privileges that led to the revolution, rather than the doctrines of Turgot? I infer that the privileges of a territorial aristocracy will not be diminished or its influence destroyed by consenting to a free trade in corn, because I firmly believe, speaking generally, that the aristocracy will sustain no injury from it whatever. I do not believe, as I said be-

fore, speaking generally, that the value of land, or the privileges of land, or the influence of land, will be diminished. Of this I am sure, that if it will not, you are establishing for the aristocracy a new claim upon the affection and sympathies of the people by making a sacrifice of your prejudices. If these laws are for the general benefit, it is wise to retain them; but if you entertain in your hearts the consciousness that agricultural prosperity is closely interwoven with your own prosperity—that in this complicated state of society you cannot tolerate, without serious danger to the land, a great and lasting check on our manufacturing prosperity; if you feel that, is it not, I ask, better for the permanent interest of a territorial aristocracy to make this concession freely, and at your own, rather than at the instance of the Minister. There are many privileges which the aristocracy had possession of, voluntarily abandoned, and with no loss whatever. Formerly it was one of the privileges of the aristocracy that the land alone should constitute a qualification for a seat in this House? That was an ancient privilege of the aristocracy. You might have urged that the abandonment of that was destructive of a territorial aristocracy—that the Constitution and long prescription required that the sole means of entering this House was by a piece of land. You found your law evaded; you found it inefficient for its purpose, and you willingly relinquished it. By relinquishing it, has the interest or influence of the aristocracy been diminished; or has not the timely abandonment of a nominal privilege conferred authority and power, much more than would have been conferred by insisting on an adherence to the ancient law? For two or three months, we have had before us the expectation of this great change. The country has known that, if this law should pass, there will, on the 1st February, 1849 be a duty only of 1*s.* on the importation of foreign corn. The people are a provident class. Let me ask, has the interest of landed property been affected? There have been farms out of lease. Has there been less demand for them? Is there not a conviction on the part of a tenant about to enter a farm with capital and skill, that there has not been, for the last ten years, a period when he could enter upon the occupation of land with greater advantage than at present? There must be many gentlemen who have had farms out of lease; they must know whether the offers for them had diminished, and whether there has been a necessity for letting them at reduced rents. I said long ago, that I thought agricultural prosperity was interwoven with manufacturing prosperity; and depended more on it than on the Corn Laws. Continued reflection has confirmed me in that opinion. I believe that it is for the interest of the agriculturist that you should lay a permanent foundation of manufacturing prosperity; and as your land is necessarily limited in quantity, as your population is increasing, as your wealth is increasing, that the true interests of land are co-existent with the manufacturing and commercial prosperity. I see in the continued relaxation of commercial restrictions a new foundation laid for manufacturing and commercial prosperity; and therefore, I look forward to their indirect operation, and I believe you will find the value of land increased with the removal of these restrictions, and with additional opportunities for carrying on extended commerce. I believe that with respect to a great part of the community of this country, there is no direct interest in the continuance of these restrictions; that therefore they could only be maintained at the expense of continued and harassing contest. It is because I believe the interests, direct and indirect, of the manufacturing and agricultural classes to be the same—because I believe they all are interested in the extension of scientific agriculture, that I come to the conclusion that the natural presumption in favour of unrestricted import ought to prevail; and therefore it is that I think it would be inconsistent with justice, as well as with policy, to continue this prohibition. I have now, Sir, attempted to answer the questions put by the noble Lord, and to assign the reasons why, after an extended review of the subject, and of the elements which enter into it, and after the best reflection, I can give to the whole matter, I now deliberately repeat what I stated at the outset — that I believe restrictions on commerce to be impolitic and unjust. I have now come, Sir, to that conclusion; and I am sorry it was not fixed in my mind at an earlier period. The noble Lord and those who act with him retain their impressions on this question. They have, undoubtedly, a right to act on those impressions, and I dare say their views may be more just than my own; but it is my duty, even if I should lose their good opinion and their confidence, however sin-

cerely I should deplore it—I still feel it is my duty to avow my opinions, and not to persevere in retaining restrictions which in my conscience I cannot justify. The noble Lord has referred to our relations with foreign countries as to commerce, and he has said that the promises which I held out some few months ago have not been fulfilled. Why, considering that this Bill is only now going into Committee, and considering also the declaration of the noble Lord, or his confident prediction that either here or elsewhere the Bill will be defeated—that it will never pass into a law—considering, I say, all these facts, I think it would be deemed very precipitate on the part of foreign countries if they made, as contingent on our acts, the relaxations in their commercial system which the noble Lord said I prophesied might take place. But, Sir, at the same time I must say there are countries which have shown a willingness to follow our example. Since I first declared my opinions on this subject the commercial system of the Two Sicilies has been materially modified. I admit that Sicily is a small country; but still, as I said before, we could not well have expected—considering the little progress we had made with our measures for relaxation—that any great or important change would consequently be made in the commercial system of other countries. With respect to France, the noble Lord said, I promised that France would adopt principles of commercial relaxation. Sir, I did not promise any such thing. What I said was this, that I gave credit to the French Government for being too enlightened to wish to continue their restrictions upon British manufactured articles; but that I believed the Government were controlled in their desires by persons in the two Chambers who were directly interested in the maintenance of restrictive duties. And, Sir, I added that I thought ultimately the wishes of the Government, backed and supported by the opinions of the enlightened men of France, would, at no remote period, prevail over partial and particular interests, and lead the way to the adoption in France of a better system of commercial laws. I did not promise that a relaxation of the French commercial system would take place immediately; but what I then said I now believe. I believe, Sir, that in France, and in other countries too, the interests of the great body of consumers will at no remote period be better considered and attended to, and that a system of general relaxation with respect to commerce will ultimately be adopted; and, I believe further, that if you adopt the motto of advancing in commercial freedom, instead of receding, you are likely to diminish the power of that portion of the community in France who have a direct influence in retaining restrictive duties on British manufactures. I know that there are societies formed in France of commercial men for the purpose of promoting a freer system of commercial intercourse; and I believe they will be able to show that the people are not interested in buying bad and dear hardware, bad cottons, and bad linens, instead of having good and cheap articles of that description from this country; and I believe, moreover, they will be enabled to prove that the great mass of the French people would be benefited by a more open system of commercial enterprize. But, Sir, I never promised, knowing, as I do, the strength of the protecting interests in the French Chambers, that France would at once yield to the influence of reason. I am not, however, the less confident that if you set the example, your example will be followed, and will ultimately prevail. The subject will be discussed in France, and after a lapse of time—not at once, not immediately, but when it is understood by the people—a liberal system of commercial policy will be adopted. The same, I believe, will be the case in the United States. There is a movement in the public mind on this subject in almost every country; and the example of England, as it told in favour of restriction, so will it tell in respect to freedom of commerce. What have we to lose by our example? "Why," says the noble Lord, "we are going to take the silk and other manufactures of France and her brandy. Adopt a different course, and let your Motion be retrograde—recede from what you have done, and say that you are in the wrong, and you will by so doing countenance in every country in the world the influence of restrictive principles." The noble Lord says we are about to take these manufactures, and also the corn and timber of Prussia, and that we are to get nothing in return; but if we get nothing in return, what do we suffer by the precedence? Upon what principle has the noble Lord formed his opinion with regard to the manner in which foreign commercial transactions are conducted? We shall not get these bad brandies, as the noble

Lord calls them, and silks and other articles, the productions of France, for nothing; we must give something in return for them. There is no mode by which we can purchase these things except by giving something as an equivalent. Supposing we gave gold for them, would evil ensue? If there has been any diminution in the quantity of gold, it has been caused by supplying the internal wants of the commerce of the country, and not by being remitted in extravagant quantities to other nations for the purpose of buying corn or timber. But I am going to say what will alarm you still more—I wish it had. How do you get your gold? I believe this country will always be able to command a sufficient supply for her own wants; and if France and Prussia will take nothing but gold, that gold can only be procured for your manufactures, and a very good bargain you will make by exchanging your manufactures for it; and therefore if your allegations are correct, and you do make these purchases with gold, I am not very much alarmed if your export from this country is gold, knowing as I well do from the ordinary transactions of commerce, that no such export will take place as can derange the commercial interests of the Empire. The noble Lord has, as I before mentioned, talked of our taking the bad silks and the bad brandies of France; but the brandy of France is well known to be a better article than we can procure at home; and I conceive that by promoting the qualified import of it—by giving freer access to the brandy and silks of France, we shall inflict no wound whatever on the commerce of this country; but, on the contrary, enable the consumers of those articles to apply the saving in the price to other and perhaps more useful purposes. I freely admit if France were wise enough to see that she would be benefited by free interchange of commerce, the advantage to all parties would be greater; but if the double benefit cannot be obtained, let us not deny ourselves the benefit of the single one; let us not pay a greater price for inferior articles because we cannot induce France to buy good articles at a low price. If, therefore, there be not an immediate reciprocal advantage, I am perfectly content to rely on the ultimate result of the present course of policy taken by Her Majesty's Government; and I shall, notwithstanding any temporary obstacles, look forward to the force of the example of England in relaxing her commercial laws upon the principle of restriction held up by other nations; and when the attention of the people of these nations is called to the subject, I retain with confidence the impression that at no remote period these principles will ultimately prevail; and I therefore reiterate to you my advice on this question—that advice which the noble Lord has condemned—that you should take for your motto, "Advance, and do not recede in the course of your commercial policy."

House went into Committee. Preamble postponed.

MR. GEORGE BANKES said, that the right hon. Baronet had observed that he anticipated that no discussion would have taken place in that stage of the Bill; but his right hon. Friend had perhaps forgotten the very emphatic declaration he made on the last occasion when the subject of the Corn Laws was introduced; and as no previous opportunity had offered for any of his (Mr. Bankes's) Friends near him to make any observations on that point, they felt called upon to do so now. It could not escape observation that there was a very important distinction between the present and the former declarations of the right hon. Baronet made a few weeks or months ago; for then he said that he had been led to the conclusion that the maintenance of these laws could not be continued in regard to public policy; but now he said that he believed the maintenance of these laws was unjust. It would have been singular indeed if the first opportunity was not taken by some of those who entertained the same views which had been so long and ably advocated by his right hon. Friend, however little qualified they might be to tread in the steps which he had taken, and in which he had induced them to follow him, if they did not remark on what had taken place. It became them, if they saw no reasons for change, and could not find any in the arguments which his right hon. Friend now used, which would serve as an answer to those he had so often put forward on former occasions—it became them to express their regret at this change of opinion on the part of his right hon. Friend, which indeed seemed to have been brought about with a view of keeping ahead of the noble Lord opposite, and to unarm him in his career. He was bound to give every credit to the declarations of one so eminent and distinguished and of such high character as his right hon. Friend, and no taunt should fall from him as to the change in his opinions. He

could only give utterance to sentiments of regret, when he found so striking a blow as he feared it would prove to the confidence to be placed by those conscious of inferior abilities in looking out for a leader of great influence in a party. He would only express his sincere sorrow at the loss of such a guide; but he saw no adequate reason for any change of opinions as given in the speech which had just been delivered. He saw no new lights; for he had heard the same arguments which he had just listened to often put forward by men of inferior acquirements to the right hon. Baronet, but still men of great ability; but which were resisted by his right hon. Friend in arguments which he thought were a complete reply to anything he had now said. He would not put the former speeches of his right hon. Friend in juxtaposition to those which he had recently made; but he must say that he strongly felt that the opinions expressed in the former speeches had brought conviction to his mind of their soundness, and that the arguments then used were the best grounded. It appeared to him that the arguments which his right hon. Friend had set out with addressing to his noble Friend, though loudly cheered by the opposite side, had no weight. What was the state of the case? The other night, in answer to a question put to his noble Friend by the hon. Member for Limerick, as to how far those who sat near him, and who acted under him as a leader, were inclined to adopt a particular course as to the alleged state of want of food in Ireland —his noble Friend, with a degree of caution highly becoming him, in the reply which he made to the question for the allowing the free importation of foreign corn into Ireland for a certain period, said, that, although he could not see any possible benefit that would result from it, and although he would not bind himself to any such delusions, and although he did not believe that any benefit would accrue to Ireland from any such experiment; still, to prevent himself and those who acted with him from being charged with interposing obstacles to the relief of the alleged state of distress in Ireland, he said that if the Government would propose a measure of this kind, and the Members for Ireland, on their responsibility as representatives of that country, stated that they believed that it would be for the benefit of Ireland, he and those with whom he acted would assent to the experiment being tried. He saw no grounds on this occasion which could justify the right hon. Gentleman in his taunts for acceding to the request. If the Government thought that it would be beneficial to take such a course, why did they not concede the request of the hon. Member for Limerick? And if they saw no benefit that would result from it, why had they held the language which they did night after night, and say that those who objected to this Bill were delaying aid to the distressed people of Ireland? Where were the cheers of the Treasury bench now? Such language, such speeches, had been by no means unfrequent at the commencement of these debates, but they had grown "small by degrees, and beautifully less;" and those were not the arguments which the Government now used. If, therefore, nothing else had been gained by the proposal of the hon. Member for Limerick, they were at least obliged to him for this—that that line of argument was stopped. Nothing was now said about delaying relief to Ireland. That had received its answer, and they might cheer the reply as long as they pleased. Believing the hon. Member for Limerick to be sincere in his persuasion that such a measure would be beneficial for Ireland, he thought that the hon. Member would have had good reason to complain if his question had been answered in any other manner; and, therefore, he repeated, that he could see nothing to regret in the answer which his noble Friend had been authorized to give by so numerous a party, with all their hearts wishing that good might flow from it, but fearing that none could result. Had they been the orginators of the proposal, as it was one from which they did not expect any benefit, they would have been open to the blame of hollow insincerity in making it; but the case was very different when they were applied to by others to consent to it. The right hon. Baronet had referred to observations of his made on a former occasion, in which he had pointed out some resemblance between the position of certain French Ministers, and the present state of this question in the present Parliament: he saw no ground for withdrawing those observations; but they were not spontaneously his; they were offered in answer to the hon. Member for Wolverhampton, who had previously referred to those Ministers of France. At a very dangerous and critical period, great and eminent men as they were, and well qualified as they were in many respects for the stations which they filled, they unhappily wanted that peculiarly great quality,

moral courage, the want of which did, in his opinion, lead to all the disasters that subsequently befel their country. Neckar was a Minister, than whom no man could be more amiable in private life—few more endowed with talents suited to his position: possessed of unbounded private wealth, he had no sordid interests to gratify, and the honesty of his principles was undoubted; but he wanted that great quality, which, being wanting in him, did prove the misfortune of his country; and between that Minister and the right hon. Baronet, he must say that there did appear to him strong points of resemblance. The great qualities of that man would be conceded to the right hon. Baronet by every one; but he feared that the right hon. Baronet had M. Neckar's failing also. He had certainly seen nothing of late to alter that opinion; and he confessed that the speech which he had heard that night had greatly tended to confirm it. When he heard the right hon. Baronet speak upon the subject of the bullion brought into this country, he was surprised, indeed, to find that he treated it as a matter of no importance at what price they bought it—what quantity of commodities they gave for it. Other opportunities would occur of addressing the House upon that subject, because another important stage of the Bill had to be passed before it could receive even the final sanction of that House; but he agreed with his noble Friend in thinking that this was a just and proper occasion to raise a discussion applicable to the new position which the Prime Minister had taken when he declared this to be no longer a question of policy, but a question of national justice. That was not, indeed, absolutely a new doctrine; for the last three or four years they had heard it from those who occupied a peculiar position, and had obtained a new and peculiar name. But it was a new and strange doctrine to hear from the Treasury benches—a doctrine which had not as yet been heard from the front row of the Opposition, but had been heard from those, and those only, who had chosen to adopt a peculiar name, and who, if this great change of policy were to take place, did deserve that it should take place under the sanction and authority of that name; because by the great men whose opinion had so much changed upon this subject, no other reason for that change had been given except the formation of that League: and much as he regretted the late change of principles in leading public men, there was no ground upon which he so much regretted it as that it had not taken place in anticipation rather than in consequence of the formation of that League. It was unquestionable that the fortune of that League had given great encouragement to, and formed a bond of union between it and another association in the sister island; and that Irish Members came over and voted for the success of one League measure as the herald of the success of others. On that ground he deeply regretted the change of opinion which had so recently taken place; he did not say which had been so recently declared, because he was sure that the right hon. Baronet would feel it to be his duty to declare that change openly and honestly as soon as it occurred; and he did, therefore, deplore the consequence of those new opinions so recently formed, and consequently so recently declared, which had reduced the right hon. Baronet to his present position, and made him, instead of the leader of a great party, the follower only of those who had trod before him the path, and avowed the principles which he had so tardily adopted. Of this he was satisfied, that whilst there existed in the sister kingdom a similar confederacy, which yet had its success to gain, the course of policy which the right hon. Baronet was pursuing was a direct encouragement to them never to cease their exertions till they could boast a similar triumph. He could see no grounds for calling the refusal of this measure either unjust or impolitic; and it was now admitted with reference to Ireland that it had no immediate bearing upon her condition; nor, indeed, so far as he could collect, had it any distant bearing, but such as would operate prejudicially to that country. For those reasons, after having listened attentively to all that had been urged by those with whom he had been so long in the habit of acting, and for whom he felt the most sincere respect; and having heard nothing to alter his opinions, he was bound to maintain those principles which he had hitherto upheld, and to refuse his assent to the changes now proposed.

LORD J. RUSSELL: The hon. and learned Member who has just sat down, has declared that he did not mean to taunt the right hon. Gentleman opposite with changing his opinion, and has stated that he believes the right hon. Gentleman's change of opinion to be sincere. At the same time I must say, that the speech of the hon. and learned Member was so much wanting in argument, and consisted so

much of a repetition of what I considered taunt against the right hon. Gentleman opposite, that I do consider that that does form the staple of the objections which are felt to the course which the Government is now pursuing. I cannot but ask, supposing the right hon. Gentleman—as I think we may in justice to him suppose—to be sincere in the opinion he now professes—I cannot but ask, what course it was possible for him to pursue? Make as light as you please of the scarcity and disease of the potatoes in Ireland, still you must admit that in some parts of that country there does exist great distress. We have readily agreed to grants for the purpose of relieving that distress, and have admitted that relief was required by some extraordinary measure. Such being the case, those who are in favour of a change of the Corn Laws would have argued—it is impossible for them not to have so argued—that this formed an additional ground for taking into consideration the Corn Laws. It would have been said, that large sums of public money have been laid out in, and a great portion of the taxes applied to, the relief of the people of Ireland, in cases where they are suffering from want of food; and yet you still maintain a law by which food is not admitted here from foreign countries which are willing to send it us. If the right hon. Gentleman opposite had thought that these Corn Laws ought to be maintained under all circumstances, he might have brought forward an argument for their maintenance; but if such is not his opinion—if he feels that these laws could not be maintained to the advantage of this Empire—how intolerable would have been the position of the right hon. Gentleman if he had attempted to defend these laws, and had asked only for temporary remedies and temporary grants for relief? What other course could the right hon. Gentleman, as the Minister of a great country, take—holding the opinions he professes, and I believe sincerely professes, that this question ought to be finally settled—than that which he has taken? No doubt this is not consistent with the course the right hon. Gentleman took before; and the hon. and learned Gentleman says, with great satisfaction, "I see no reason to change my opinion." I think we have heard arguments in variety for the last few years, which I need not endeavour now to repeat, sufficient to show that these Corn Laws have produced great evil in this country, and that in times of distress, when food was dear, mortality and crime have increased in proportion to the dearness of food. I know but one example like the consistency which the hon. and learned Gentleman would seem to recommend, and that is contained in the novel of *Gil Blas*. I recollect that Gil Blas, when assistant to Dr. Sangrado, says to his master, "I have now been your assistant for some months, and I see that every case ends faithfully; we have tried bleeding and hot water whether the patient was a young person or old, whether the illness was sudden or of long standing, and the termination has always been the same; we have effected no cure; our treatment has only increased the disease and ended in death." And then Dr. Sangrado replies, "It is quite true; there is not a case in which we have effected a cure; my treatment seems to have no good result; but I have written a book to show that it is the only cure, and therefore it is impossible to change it." The hon. and learned Gentleman seems to be alarmed at the prospect of evils approaching us, and it appears that he has found a great likeness between the right hon. Gentleman opposite and M. Neckar. I confess I do not see those points of resemblance to which the hon. and learned Member has alluded, or any resemblance between the abolition of the Corn Laws and the commencement of the French Revolution. Neither do I believe that Neckar was the cause of the French Revolution; though I am no admirer of his wisdom, firmness, or talent. I believe that the causes of the French Revolution were the oppression of the people of France, and the abuses which so long continued. These were the causes of the French Revolution; and I entirely agree in those observations which the right hon. Gentleman quoted from Burke, to the effect that the safety and the security of the aristocracy of this country depends on their wise observance of public opinion, and their determination not to maintain laws which the country feels convinced are injurious to it. I wish to maintain the landed aristocracy, and I do not wish to see them supplanted by any other class of the community; but I think, with respect to these Corn Laws, that if the aristocracy went on from year to year maintaining laws which it could be shown had the effect of raising the price of corn grown on their own land, and thereby tending to increase their income; and if, as might be the case, the majority of the community came to be of opinion that the aristocracy were acting

from such motives, there would then be no position so dangerous to them as the obstinate maintenance of those laws. And when these Corn Laws are done away with —when that date of February, 1849, arrives—in what respect will the landed aristocracy be in a worse position than they ought to be according to equity and just laws? They will not have any disadvantage by being deprived of the protection which other classes of the community have. The law is, generally speaking, to be equal to all. The aristocracy are not to have the advantage of protection for corn; neither are the manufacturers or commercial men to have protection or prohibition with reference to articles in which they deal. There is not, in that respect, therefore, to be any inequality. All parties are to be placed on equal terms; and with respect to other matters, I do not know any country in the world where any class has a position at once so honourable, so advantageous, and I would almost say, so easy to fulfil, as the English landed aristocracy. They are in the possession of great property, which has been increased enormously since the time when manufactures and commerce, towards the end of the last century, took a great start and made great progress. They have the advantage of competing for political power with all the other classes of the community, and they are able to obtain places in the House of Commons, whilst they nearly possess the whole of the House of Lords; and they have the further advantage which a civilized community, such as is to be found in this country, always carries with it. I must say that I do not know that there is any class in any country in the world which the English landed aristocracy have to envy; and if I were asked with respect to their political power, I should say, that while they competed with other classes of the community, which, likewise have acquired wealth, and likewise have intelligence, and are fitted to rise to the highest posts which British subjects can occupy under the Constitution, the English aristocracy may be proud to fill no other situation than that, which their own ability, exertions, and industry, and those of their forefathers, enable them to occupy. The hon. and learned Gentleman seems much alarmed at the idea that the country will have to pay very dearly for this boon of the abolition of the Corn Laws: and he appears afraid that we shall part with all the gold in the country. Wheat is to be brought from other countries, and it is said that the foreigners will take nothing but gold in exchange. But gold must be obtained somewhere; and so, if we have gold, we must give manufactures in exchange for it. But then it is contended that we do not know the price that must be paid for gold; but, for my part, I think that matter may be safely left to the manufacturers, who will know the price which gold naturally should bear. Therefore, I say that any alarm of that kind is really presposterous. In point of fact, there has been for several years a great quantity of wheat imported; at first there was an exportation of bullion and of specie, but after two or three years the course of trade became regulated, the export of our manufactures has increased, and these manufactures have been taken in exchange for corn. Such will be the result when trade is constantly carried on, as will be the case under the law which the right hon. Baronet has proposed. And now, Sir, I must say a few words on the question with regard to which the hon. and learned Gentleman has also spoken — namely, as to the division which has taken place between him and those who follow the noble Lord the Member for Lynn, and those who still follow the right hon. Gentleman the First Lord of the Treasury; and I must say, I do not think this difference of opinion has arisen for the first time during the present year. Whatever may be said, a difference of opinion has existed. It has appeared to me for years that the opinions of the right hon. Gentleman the First Lord of the Treasury, the opinions of the right hon. Gentleman the Secretary of State for the Home Department, and the opinions of others who now act with them, have been exceedingly different from the opinions of the hon. and learned Gentleman who has just spoken, and of others who have acted with him during the present Session. Accordingly we have seen, from the first commencement of the Ministry, that there has been this great difference of opinion between them. The right hon. Gentleman the First Lord of the Treasury said, at the beginning of the present Session, that the experience of the last three years of free trade, in certain articles, has convinced him of the propriety of proceeding in the same course; but if the right hon. Gentleman had been a friend of the protection so common on the part of the great body who vote for the maintenance of the Corn Laws, why were those experiments in free trade made? What could have induced those

experiments in the commercial policy—the enlightened and the enlarged policy, as I think; but at all events, the commercial policy opposed to the views of the hon. Gentleman below the gangway? We have seen, in the course of the last few years, whether, with respect to this commercial policy, or the Canadian Corn Bill, or on religious questions, such as the Maynooth Bill, that there has been a great difference of opinion between the Government and those who, before they succeeded to office, were their most active and cordial allies. What is the conclusion to be drawn from this? The conclusion is, that though there was an union to put an end to the late Government — though there was a combination, there was no party united in their views of public policy. Therefore, I think for the public interests, it is better, far better, that the right hon. Gentleman should entertain his views of public policy, and that those Gentlemen should fairly declare their views and the opinions they honestly entertain, and vote against the right hon. Gentleman. The hon. and learned Gentleman who has last spoken has referred to an association—meaning what is commonly known by the League, and of another association existing across the channel, with another object—the repeal of the Legislative Union. Now, I do beg the hon. and learned Gentleman to consider a little—as he has so very strong a dislike to yielding to associations, as he does not approve of the course of policy which has been agitated in our market places and in our streets for years; and as he thinks it wiser that improvements should commence with Parliament, and should be sent as law at once among the people, rather than that they should be the consequence of popular agitation—as I collect that to be his opinion—I wish that he, and those who act with him, would consider the experience of late years. For many years we contended for the question of Parliamentary reform. I remember, Sir, that I said in this House, if we did not allow it to flow on like a river, we must expect it to rush like a torrent. I was laughed at for that expression; it was said to be an absurd and ridiculous expression. But when the Reform Bill was introduced, the popular fury rose to such a height that it would consent to nothing but the Bill; and it was then seen that it would have been wiser to have made some concession to the previous agitation. And, with regard to the subjects which may arise when the question of corn shall be settled, especially with respect to that country to which the noble Lord the Member for Lynn, and the hon. and learned Gentleman, have alluded, I hope that he and others will consider whether there may not be measures which it will be wise in Parliament to enact, before they are dictated by popular agitation. Of this I am sure, that if we mean, as I trust it is our destiny, to give a great example to the nations of the world—to teach the nations of the world how to live—we, the House of Commons, ought most deeply to consider which of our institutions and laws are founded upon truth, upon reason, and upon justice. You find fault with the right hon. Gentleman for now declaring the Corn Laws to be unjust. Why are they unjust? Because they are restrictions; and if they are not authorized and justified by the general safety and welfare of the country, we ought not to uphold what are otherwise unjust laws. And, if there are other laws which stand in the same position, do not wait till agitation shall render a change inevitable. Be wise beforehand. Profit by the example of Catholic emancipation, of the reform in Parliament, and of the Corn Laws, and endeavour to secure what alone can be maintained. Stand by the institutions that are good, and give timely correction to abuses which are unworthy of your support. This is the way, I am convinced, by which you will give a great and noble example, and by which, in the sight of all nations, it will be said, "Truly this is a great nation, this is a wise and understanding people."

Mr. DISRAELI: Sir, my hon. Friend the Member for Dorsetshire has vindicated the noble Lord the Member for Lynn from the imputation cast upon him by the First Lord of the Treasury. I am surprised, indeed, that the motives which influenced the noble Lord could have been misinterpreted. My noble Friend came forward to propose the remedy which he thought was necessary for the state of Ireland. He admitted a partial exigency. He proposed a method which would meet that exigency. He believed there was a systematic and inveterate evil, and he indicated the measure which he thought was required to meet it. That was the position of my noble Friend. It was true my noble Friend said more, but it was obviously a *reductio ad absurdum*. He said, "You suggest a remedy which appeals to the passions of the multitude; which may be, and has been, misinterpreted in our multi-

farious debates: we will prove to you, that if we have recourse to your remedy it must be deficient." To dispel delusion was his object. "I will grant your premises," he said. "The people of Ireland shall not say that I and my friends are the bar to the enjoyment of these alleged advantages, though I guard myself from being described as one who has deceived them; for whilst I accede to the proposed boon, I tell them it must be worthless." Now to seize upon that in debate, and attack measures which, whether right or wrong, were measures which all must admit were of great importance, and worthy of public consideration; to seize, I say, upon a single point like that (which I think was a judicious point) was hardly worthy of so practised a Parliamentary orator as the right hon. Gentleman. The right hon. Gentleman has not said, indeed, that we blamed him for the precautions he has taken. I can hardly believe that any Gentleman on this side the House can blame the Government for their precautions. I am sure I have never ventured—I am also sure no Gentleman near me has ventured—to blame them for the precautions they have taken. If their precautions were exaggerated, I should say exaggeration is, under such circumstances, a merit. What we have blamed them for, is not for the precautions they have taken, but for the policy they have adopted. We have not blamed them for establishing hospitals; we have not blamed them for importing maize; we have not only not blamed them for taking such measures, but we have expressed our willingness to support them in any measures which they might recommend to meet the exigency. What we object to in Her Majesty's Ministers is this: that nothing can be more impolitic when they are called upon to meet an emergency, the fact of which we do not wish to examine—that they should, under such circumstances, call upon us to construct a new commercial policy, absolutely opposed to every principle which they have hitherto professed, and to every course which they themselves have recommended us to follow. The space was so short between the last protection speech—the last, though not the least, able protection speech—made by the right hon. Gentleman at the termination of the last Session of Parliament, and his meeting us again with a new profession of political faith, that I think even if there were no other circumstances to justify it, he should have detached his emergencies from his new system. If it had only been to show some feeling for his late supporters—some wish to extricate them from an embarrassing position—they should not have been exposed to the accusation of not sympathizing with their suffering fellow subjects in the sister kingdom, because they objected to change their whole policy, and at once to act in opposition to doctrines which the right hon. Gentleman himself has always professed. The noble Lord (Lord J. Russell) who has just addressed the House, as well as the right hon. Gentleman, has assumed the case we have before us to be, whether we are prepared to oppose that which is for the interest of the multitude. I, for one, beg to say, I am not prepared to oppose any measures which I think are for the interest of the multitude. But that is not the real question before us. That, I say, is not the real question in this debate. I myself, and I can say so for many Gentlemen here—am quite guiltless of any intention of taking part in it, for I was perfectly unaware it would occur; but at the same time, I think the point my noble Friend has taken was not only a legitimate point, but a most necessary one to be taken. The observation of the right hon. Baronet had escaped me; but having made that observation, I think he can hardly be surprised the noble Lord should have taken an early opportunity to ask for an explanation of an expression so remarkable. I have not yet myself spoken on the new Corn Law of the right hon. Gentleman; I should be sorry, if a fair occasion offered, to shrink from an unequivocal expression of my opinions, or to endeavour to meet by argument, and not by assertion, the case of the right hon. Gentleman and the rest of Her Majesty's Ministers. It is not from a wish to avoid the difficulty in the present instance that I abstain; but I think it is obvious that, with an impending debate at hand, this is not the hour it could be expected or tolerated, that any Member should enter at length into that subject. It is only the cool assertions from each side the Table that have made me feel it is not perhaps impertinent for me to rise, to notice the observations which have been made. I may say, that not being prepared for debate is not an excuse for not being prepared to answer the speech of the right hon. Gentleman. It is not a speech that I have heard for the first time. I have heard it in other places—in different locali-

ties, and, I may be allowed to add, from a master hand. That speech has sounded in Stockport; it has echoed in Durham. I suspect that there has been on the stage of the classical theatre a representation of it, upon the highest and finest scale; and, as is usual in such cases, the popular performance is now repeated by an inferior company. Especially, Sir, when I heard the line drawn which marks on the map the corn-growing districts of England, I thought I might say, as I have heard sometimes said upon Railway Committees upon rival lines, "That is surely the line of the hon. Member for Stockport." And so, when the right hon. Gentleman, with a fervour of mimetic rhetoric, which has been much developed of late, turns round, and says he has not the courage, and he is surprised that we have, to oppose that which is for the benefit of the multitude and the advantage of the people; that, I say, is not the question at issue. I am ready to meet the real question without any evasion. If the measures of the Government have not a tendency to occasion a great displacement of labour, a displacement of that kind of labour which is of the most permanent character—if they have not by that displacement a tendency to occasion great social suffering, and, ultimately, great political disaster, then I say they are good measures, and I for one am not prepared to oppose them. But that is the whole question, and that question at the right moment, at the fitting opportunity, with the permission and indulgence of the House, I am prepared to discuss. If I do not meet it now, I hope that no one will for a moment suppose that I admit the justice of the series of assumptions with which we have been favoured by the right hon. Gentleman. The right hon. Gentleman alluded to the state of Ireland, that 534,000 farmers are without capital, and then he turns round, in the manner of his great master, and says, "See what protection has produced." I shall be prepared, upon the proper occasion, to prove that protection has not produced the present condition of Ireland. That is an enormous assumption. I might as well turn round to the right hon. Gentleman and say, "Had it not been for protection, those 534,000 farmers would not have existed." Nothing is so easy as to take instances of wretchedness and say protection has produced them. There is the eternal instance of the Wiltshire labourer with his 6*s.* or 7*s.* a week; and it is said, "See what protection has produced." I go into Lincolnshire, and I find the labouring man with ample means and flourishing—may I not turn round and say, "See what protection has produced?" These are questions which cannot be entered into without more time than, in an incidental debate like the present, can be appropriated to them; but when the right hon. Gentleman takes this occasion, with his great authority, to scatter arguments which, of course, influence public opinions, or rather to make statements—for he has not condescended to reason to-night, he has rather taken refuge in rhetoric—it is absolutely necessary they should be noticed, however partially. The right hon. Gentleman says, "How can you justify your system of protection, even if it did benefit to the agriculturist, to the manufacturer?" I can justify it; I resist altogether the inference that is sought to be drawn from the question put by the right hon Gentleman. I say, unless by the system of protection, as described in this debate, the benefit to manufactures is as great as the benefit to agriculture, I agree with him, the objection to it is fatal, and he would not be a wise statesman that would not earnestly consider the consequences of it. I take this to be the case of the manufacturer. The late war and some preceding wars destroyed existing manufactures in many countries. Those in Europe and the United States are of modern origin. In no instance have those manufactures sprung from any other source than the capital that the system of protection allowed the landed proprietors to accumulate. It is that capital which has formed our own manufactures. That noble industry of the north of England, which is so often the subject of discussion in this House, the cotton manufacture, is as much owing to the agricultural capital of England, as it is to the genius of its great mechanical inventions, and even to its unprecedented local advantages which unite mines of coal and iron. In the early state of the cotton manufacture, it was the capital of Lombard Street that promoted the immense development of that fabric. And what was the capital of Lombard Street? It was the capital of the farmers of Norfolk and Lincolnshire, which had found its way into Lombard Street, and was thence distributed by the great bankers and bill-brokers. I am speaking of transactions when a house like Gurney's, for example, would discount bills to the amount of half a million, all drawn upon

and accepted by one firm, for the purchase of Manchester goods. It was that farmers' capital which gave the principal development to the industry of Lancashire. I am very glad that the industry of Lancashire has outlived the necessity of such support; but it must not be forgotten that it received that support, any more than it must be forgotten that it received, when necessary, the protection of the Legislature. This brings me to the point of the right hon. Gentleman, who said—and the noble Lord too, inferentially—"If manufactures require no protection, how can the agricultural interest demand it?" As an abstract principle I protest against this reasoning. It is not sound as a mere argument. The business of a statesman is, not to inquire why one interest is protected, and another is not, but whether the protection enjoyed by any particular interest is required. Are the circumstances in which agriculture and manufactures are respectively placed the same? I have heard a great deal said about the peculiar burdens on land. I confess I have never held that a sufficient ground for what is called protection to agriculture; but no one will deny that the manufactures of England have peculiar advantages — at least, no hon. Gentleman opposite will deny it, because they are always getting up and telling us of them. They perpetually assure us that they have no fear of competition, because the unrivalled advantages of their soil from the interstratification of coal and iron, independently of their machinery, alone exempts them from all rivalry. The farmers have no such peculiar advantages; they do not, therefore, meet upon equal ground. To say, therefore, that one interest should not be protected, because another does not require protection, is, in fact, quite illogical. It is not an argument; it is a mere appeal — a sentimental appeal: it does for the hustings and for popular assemblies, but it will not bear the examination of the closet, and is unworthy of this assembly. I am not now asserting that the farmers of England do require protection, for that is too great a subject to enter upon now; but I will venture hereafter to approach it if opportunity is given to me. I shall then be prepared to meet the arguments that are put forward by Her Majesty's Ministers, and which in reality is the case of their great master. I would address my arguments to the creative minds and manly energies that are really responsible for them. We have heard to-night a great deal about territorial aristocracy. There may be some doubts whether we have a territorial aristocracy in this country; but there is none whatever that we have an aristocracy of wealth. We all feel it, and I believe that the measures of Her Majesty's Ministers have a tendency to increase that power in a degree I believe not beneficial to the people; but suppose there were in England what is called a territorial aristocracy, I utterly protest against the rhetorical position taken up by the right hon. Gentleman, and also touched upon by the noble Lord. The right hon. Gentleman has argued upon the case as if the aristocracy of England were a privileged aristocracy. What privileges have they? I have on more than one occasion risen in this House to uphold the cause of what I call our territorial constitution, not imagining by such a word I was maintaining the mere interests of peers and esquires. I certainly should not have risen had I thought I was pleading only their cause. But this territorial constitution which I have defended, has given to this country public liberty and the blessings of local and self-government. It appeals to all; it has immense ramifications; it touches every class of the community. I have talked myself of the necessity of maintaining the preponderance of the agricultural interest, and I remember somebody or other saying, "Can any thing be more improper than thus holding up the necessity of the predominance of a class in the country?" I do not imagine for a moment that the agricultural interest is constituted merely of the proprietors of land. The agricultural interest is that great body of people who are the cultivators of the earth; and if you materially change the balance between the populations that depend upon the two great interests of this country, you shake to its centre that territorial constitution, you destroy the security for local government—you subvert the guarantee for public liberty—you change, in fact, the character of England; you bring about that social revolution which the right hon. Gentleman always reminded us would be the consequence of following the policy of the school of Manchester. Sir, there is nothing exclusive or restrictive in this territorial constitution, or I am sure it would not be tolerated for a moment in England. From the days of Sir Robert Walpole to the present moment, with one solitary exception, all those who have realized large fortunes in our great

seats of industry, have deposited the results of their successful enterprise in the soil of their country. The power of acquiring territorial possessions is open to every man. The fact that every family which has acquired great wealth has invested that wealth in the purchase of land, affords the best possible proof that in our territorial constitution there is nothing alien or adverse to the interests of commerce or manufactures. Respecting the county in which I myself live, I can state from my own experience, within the last twenty years, that not less than one-third of the land of that county has changed hands; and I may add that even some portion of that land has been purchased by Gentlemen who subscribed to the funds of the Anti-Corn Law League. Away, then, with this declamation about a territorial aristocracy, as if it were a body distinguished from all other classes. The Constitution of this country has invested the proprietors of land with certain duties and certain rights, which all may acquire, and aspire to fulfil. It has secured to us at all times, and under all circumstances, leaders who have saved us from that despotism which has too often been the fate of other countries. It affords to every man this position to which his property and intelligence entitle him: no man need despair of obtaining the highest place in our free aristocracy — even the sons of the humblest may find a place in this or the other House of Parliament. I have no wish to enter further into this question at present. I reserve myself for the third reading, when the whole policy of the Government will be gone into, at which time possibly the right hon. Gentleman may think my arguments weak, but most certainly I will not shrink from maintaining them. And I would now sit down were it not for one observation of the right hon. Gentleman, which I cannot allow to pass without protest. The right hon. Gentleman has uttered three or four common-places—the prostitutes of political economy whom Gentlemen on each side in turn embrace, in order to show that you may fight hostile tariffs with free imports. I can hardly venture to enter upon a subject like this on the present occasion. It is one which ought to be most gravely considered by any Minister, for it is amongst the most difficult problems of political science. If a country submits to the imposition of unequal import duties, does she become tributary to the countries by which such unequal duties are imposed? That is an inquiry worth pursuing. And if in consequence of these hostile tariffs we give more of our labour for the produce of foreign countries, what effect will this interchange have on the distribution of the precious metals which are foreign produce? We shall obtain less of them. If we obtain less of them, money will be scarce and more valuable, and then prices must fall, and fall greatly. I admit that, all circumstances being the same, there is no abstract advantage in high prices. But I am at a loss to discover how very low prices can be long endured in a country with an immense amount of public and of private debt, and a vast sum of fixed money payments. I am not disposed at this moment to argue the whole question of the interchange of produce between nations; I shall be fully prepared to go into it when the proper time arrives; but it is rather too cool for the right hon. Gentleman not only to have changed his opinions, but to treat every thing urged in opposition to his present sentiments as absurd. I remember a gentleman, an authority on matters of political economy, Colonel Torrens, who for some time had a seat in this House, bringing the noble Lord (Lord J. Russell) in a series of very ingenious essays, to account for the doctrines which he held upon the interchange of commodities between nations. That was some years ago, but the subject still engages the attention of philosophical investigators. I read so recently as last evening a very elaborate analysis and a very careful application of the laws which regulate interchange between nations. It is a work recently published, and written by a man who is not now, never has been, and, from the constitution of his mind, never likely to be a Member of this House. He is a man free from any bias of party feeling; who has given up his time to abstract studies; is known to possess a high order of intellect; and may be considered in the light of an hereditary political economist —I mean Mr. John Mill, the son of the historian. That gentleman has written an essay on the laws which regulate interchange between nations. It certainly was not intended by the author to have any reference to existing circumstances; and certainly it will at once be admitted that the author has no bias in favour of the doctrines which I have endeavoured on this occasion to support. And what now is the final declaration of Mr. Mill? After investigating the subject with all the power of logical

analysis for which he is remarkable, and with all the knowledge of economical science for which he is distinguished, he arrives at the conclusion that hostile tariffs must be met by hostile tariffs — that reciprocity should be the principle upon which an exchange should take place between nations. I think I heard a Gentleman say "No;" now that shows the inconvenience of making a speech when you do not expect to have to make one. I have not the book with me, but I am sure that I have not overstated the argument. No doubt Mr. Mill, for political reasons, makes an exception in favour of food, but that does not affect the general economical argument. Mr. Mill has given it as his opinion that reciprocity should be the principle of commercial exchange. I believe it to be possible for a nation with very extensive commercial relations to carry on trade upon the opposite principle for a certain time; but you can only carry on your system of fighting hostile tariffs with free imports, by requiring more labour for the effort, and thus involving the further depression of wages, and the further degradation of the labourer. I will not, however, detain the House longer now. Whatever our numbers or intelligence may be, I am sure that at least we shall not shrink from fighting the great battle to which we are pledged.

LORD G. BENTINCK moved that the Chairman should report progress, and ask leave to sit again.

The Committee divided — Ayes 85; Noes 181: Majority 96.

List of the AYES.

Adderley, C. B.
Alford, Visct.
Allix, J. P.
Bagot, hon. W.
Bailey, J. jun.
Banks, J.
Barrington, Visct.
Baskerville, T. B. M.
Bateson, T.
Bennett, P.
Bentinck, Lord H.
Beresford, Major
Blackburne, J. I.
Bramston, T. W.
Brisco, M.
Brooke, Sir A. B.
Buck, L. W.
Burrell, Sir C. M.
Burroughs, H. N.
Chandos, Marq. of
Clayton, R. R.
Conolly, Col.
Deedes, W.
Disraeli, B.
East, J. B.
Filmer, Sir E.
Finch, G.
Floyer, J.
Forbes, W.
Forester, hon. G. C. W.
Frewen, C. H.
Fuller, A. E.
Gardner, J. D.
Gaskell, J. M.
Gore, W. O.
Granby, Marq. of
Hall, Col.
Halsey, T. P.
Harcourt, G. G.
Heneage, E.
Henley, J. W.
Hildyard, T. B. T.
Hill, Lord E.
Hope, Sir J.
Hotham, Lord
Hudson, G.
Hussey, T.
Jolliffe, Sir W. G. H.
Knight, F. W.
Lawson, A.
Lennox, Lord G. H. G.
Lowther, hon. Col.
Maclean, D.
Manners, Lord J.
Miles, P. W. S.
Miles, W.
Morgan, O.
Mundy, E. M.
Neeld, J.
Newdegate, C. N.
O'Brien, A. S.
Ossulston, Lord
Packe, C. W.
Pakington, J. S.
Palmer, R.
Palmer, G.
Plumptre, J. P.
Rashleigh, W.
Richards, R.
Rolleston, Col.
Scott, hon. F.
Sibthorp, Col.
Stuart, J.
Thompson, Ald.
Thornhill, G.
Tollemache, J.
Tower, C.
Tyrell, Sir J. T.
Verner, Col.
Vyse, R. H. R. H.
Waddington, H. S.
Wodehouse, E.
Worcester, Marq. of
Wyndham, J. H. C.
Yorke, hon. E. T.

TELLERS.

Borthwick, P.
Bentinck, Lord G.

List of the NOES.

Acland, Sir T. D.
Acland, T. D.
A'Court, Capt.
Ainsworth, P.
Aldam, W.
Armstrong, Sir A.
Baillie, H. J.
Baine, W.
Barclay, D.
Baring, rt. hon. F. T.
Baring, rt. hon. W. B.
Beckett, W.
Berkeley, hon. C.
Bernal, R.
Blake, M. J.
Botfield, B.
Bouverie, hon. E. P.
Bowes, J.
Bowles, Adm.
Bowring, Dr.
Bright, J.
Brotherton, J.
Browne, hon. W.
Bruce, Lord E.
Buckley, E.
Buller, C.
Buller, E.
Busfeild, W.
Butler, P. S.
Cardwell, E.
Carnegie, hon. Capt.
Chichester, Lord J. L.
Christie, W. D.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Clive, hon. R. H.
Cobden, R.
Colebrooke, Sir T. E.
Collett, J.
Copeland, Ald.
Craig, W. G.
Crawford, W. S.
Cripps, W.
Curteis, H. B.
Damer, hon. Col.
Dennistoun, J.
D'Eyncourt, rt. hon. C. T.
Drummond, H. H.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncannon, Visct.
Duncombe, T.
Dundas, F.
Dundas, D.
Dundas, hon. J. C.
Eastnor, Visct.
Escott, B.
Esmonde, Sir T.
Etwall, R.
Evans, W.
Ewart, W.
Ferguson, Col.
Ferguson, Sir R. A.
Fitzroy, hon. H.
Fitzwilliam, hon. G.
Flower, Sir J.
Forster, M.
Gibson, T. M.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Gore, hon. R.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Granger, T. C.
Grimsditch, T.
Hall, Sir B.
Hallyburton, Lord J. F. G.
Hamilton, W. J.
Hamilton, Lord C.
Hanmer, Sir J.
Hastie, A.
Hawes, B.
Hay, Sir A. L.
Hayter, W. G.
Heathcoat, J.
Herbert, rt. hon. S.
Hill, Lord M.
Hindley, C.
Hobhouse, rt. hon. Sir J.
Hogg, J. W.
Hollond, R.
Hope, G. W.
Hume, J.
Hutt, W.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Kelly, Sir F.
Kemble, H.
Layard, Capt.
Lemon, Sir C.
Lindsay, hon. Capt.
Loch, J.

M'Carthy, A.	Seymour, Sir H. B.
M'Neill, D.	Shelburne, Earl of
Mahon, Visct.	Smith, B.
Mangles, R. D.	Smith, J. A.
Marsland, H.	Smith, rt. hon. R. V.
Martin, J.	Smythe, hon. G.
Martin, C. W.	Smollett, A.
Masterman, J.	Somerset, Lord G.
Meynell, Capt.	Somerville, Sir W. M.
Mitchell, T. A.	Stansfield, W. R. C.
Moffatt, G.	Stanton, W. H.
Morpeth, Visct.	Staunton, Sir G. T.
Morris, D.	Stuart, H.
Morison, Gen.	Strutt, E.
Napier, Sir C.	Sutton, hon. H. M.
Neville, R.	Tancred, H. W.
Newry, Visct.	Thesiger, Sir F.
Norreys, Sir D. J.	Thornely, T.
Ogle, S. C. H.	Tomline, G.
Oswald, J.	Trench, Sir F. W.
Parker, J.	Tufnell, H.
Peel, rt. hon. Sir R.	Vane, Lord H.
Peel, J.	Villiers, hon. C.
Pennant, hon. Col.	Villiers, Visct.
Philips, M.	Vivian, hon. Capt.
Phillpotts, J.	Wakley, T.
Plumridge, Capt.	Ward, H. G.
Ponsonby, hon. C. F. A. C.	Watson, W. H.
Powell, C.	Wawn, J. T.
Protheroe, E.	Wellesley, Lord C.
Pulsford, R.	Williams, W.
Reid, Col.	Wood, C.
Ricardo, J. L.	Wood, Col. T.
Rich, H.	Worsley, Lord
Roebuck, J. A.	Wrightson, W. B.
Romilly, J.	Yorke, H. R.
Ross, D. R.	
Russell, Lord J.	TELLERS.
Scott, R.	Young, J.
Seymour, Lord	Baring, H.

Question put on the first Clause,

Mr. P. BENNET moved to report progress.

The Committee divided:—Ayes 55; Noes 166: Majority 111.

Clause again put.

Mr. PACKE said, at that late hour it was impossible to think of going into the clauses. He would therefore move that the Chairman do leave the chair, and report progress, and ask leave to sit again.

Mr. C. BULLER begged leave to ask, as this species of delay was persevered in, whether a distinct understanding had not been come to among hon. Gentlemen on both sides of the House, that after the division on going into Committee, no further delay would be attempted? He only alluded to a private understanding come to out of that House, and though he should admit that the House generally was not bound by any such arrangement, still he thought that language held among Gentlemen in private should be afterwards acted on, unless it were a matter of importance with the hon. Gentlemen below the gangway opposite to pursue a contrary course. He wished to have some understanding on the point, in order that they might know the cause of this sudden interruption in the debate.

Colonel SIBTHORP said, they knew nothing of understandings on that side of the House; they had a very simple, but he hoped determined course to pursue; and he hoped his noble and hon. Friends near him would not let that course be interrupted by any understandings. He meant secret understandings. They would have nothing of the sort on that side of the House. Hon. Gentlemen opposite, and right hon. Gentlemen on the Treasury Benches might have; and he made no doubt had private understandings, but he would have nothing of the sort. But he would subscribe to this understanding—to take that plain course which the world would comprehend. Hon. Gentlemen opposite and right hon. Gentlemen on his side of the House wished to misguide the public, and as an instance of that he would ask why had not the return for which he had moved on the 8th of April been since laid on the Table? He hoped that some Member of Her Majesty's Government would enlighten him as to the cause of that return not having yet been furnished.

The CHANCELLOR of the EXCHEQUER observed, that the reason why the returns had not been presented was, the nature of the inquiries they involved, which were of so extensive a nature that the results could not be known at once.

Sir R. PEEL said, he did not see any advantage in prolonging this contest. He had not strength to go through with it, and he did not wish to subject others to it. He should therefore propose that the hon. Gentleman should withdraw his Motion, on the understanding that they should not proceed with the Bill that night. He hoped hon. Members who had Motions standing for to-morrow would allow the Bill precedence.

House resumed. Committee to sit again.

MEMBERS OF THE HOUSE ACTING AS COUNSEL.

Mr. HAWES moved, that Mr. Charles Buller should have leave to attend as Counsel before the House of Lords.

The CHANCELLOR of the EXCHEQUER suggested that it would be well for the House to pause before it established a precedent in such a case as the present. The result might be inconvenient, and cal-

culated to damage the character of the House.

MR. C. BULLER explained, that he had at first been of opinion that he could not appear before the House of Lords as counsel on a private Bill; but, on inquiry, he was inclined to believe that precedents could be found for such a course with respect to Bills that had passed the House of Commons and gone to the Upper House. Leave had been given to the hon. Member for Bath to appear on the Sudbury Bill before the House of Lords. Under any circumstances, he should have felt himself bound to refrain from voting on any Bill for which he was interested as counsel. It might be replied, that he had no right to waive his duty as a Member of that House; but he wished to know how far the principle was to be carried. Many hon. Members had the most direct interest in Bills before that House, being connected with them as directors and shareholders of private companies. He was desirous that the House should decide the question, and would most readily bow to any decision they might think proper to announce.

The CHANCELLOR OF THE EXCHEQUER thought it most desirable that there should be time to look for precedents before the House came to any decision.

SIR J. GRAHAM thought the question was one to be decided more by precedent than by the introduction of any new rule. If there were any precedent, there could be no difficulty in acceding to the hon. Gentleman's proposition; if there were no precedent, the matter was so important that it was desirable to consider it maturely. Perhaps it would not be improper to inquire what was the opinion of the Speaker.

MR, SPEAKER observed, that the Bill might involve a matter of public policy or of private interest. The House had granted permission to the hon. Member for Bath to appear as counsel before the other House of Parliament, in reference to a measure of the former class, namely, the Bill for the disfranchisement of the borough of Sudbury. He (Mr. Speaker) did not know a precedent where a party had been allowed to plead before the House of Lords on a private Bill.

MR. HAWES, under the circumstances, would withdraw the Motion, reserving power to bring it forward again for ultimate decision.

Motion withdrawn.

House adjourned at a quarter past One o'clock.

HOUSE OF LORDS,

Tuesday, May 5, 1846.

MINUTES.] PUBLIC BILLS.—2ª. Burghs (Scotland). 3ª. and passed. Railway Companies Dissolution; Exchequer Bills.

PETITIONS PRESENTED. By the Bishop of Hereford, from Clun, and several other places, against the proposed Union of Saint Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—From the Spalding and Louth Unions, for the Adoption of a Measure making the Landlords of Cottages where the Rents are under £6 liable to the Poor Rates.—By the Duke of Cleveland, from the Governors of Christ's Hospital, against the Charitable Trusts Bill.—By Lord Campbell, from Lord Provost, Magistrates, and others, of Edinburgh, in favour of the Burghs (Scotland) Bill.—From Members of the Blairgowrie Congregation of the Free Church of Scotland, Perth, and from Earl's Colne, for the Better Observance of, and for the Prevention of the Sale of Intoxicating Liquors on, the Sabbath.

THE QUEEN'S MESSAGE—PENSIONS TO VISCOUNT HARDINGE AND LORD GOUGH.

The Order of the Day that Her Majesty's most Gracious Message should be considered, read.

The EARL of RIPON: My Lords, I am about to perform a duty which is no less gratifying to myself, than I hope it will be to your Lordships. It will not, however, be necessary for me to trouble your Lordships at any length upon the subject I am about to mention; because, in the course of the present Session, upon no less than two occasions, I have been called upon to detail to your Lordships the eminent services of the Governor-General and the Commander-in-Chief in India. I then thought it my duty to state to your Lordships the circumstances under which those glorious victories had been recently achieved by the British arms in that part of the world; and your Lordships were pleased to receive the statements I made, and the Motions with which I concluded, with such cordial unanimity, that it would be an idle waste of time were I to travel over the same ground upon this occasion. I am sure, however, that your Lordships will have felt that, when Her Majesty was pleased to raise to the honour of the Peerage those two distinguished individuals, it was upon every account a most appropriate exercise of the Royal Prerogative. It was one which it was as natural for Her Majesty to grant, as it must have been gratifying to those individuals to receive; and I am quite certain that you will feel it to be not less an honour conferred upon yourselves than it is upon the individuals to whom I have alluded, to have seats in this House of Parliament. I venture, there-

fore, to presume that, in submitting the Motion for an Address to Her Majesty with which I shall conclude, your Lordships will be heartily inclined to concur in it. That Address will be to the effect that your Lordships will concur in taking measures for carrying into effect the object Her Majesty states in Her Message She has in view in recommending Viscount Hardinge and Lord Gough to your consideration. But, my Lords, Her Majesty in that Message refers not merely to the brilliant services which it has fallen to the lot of these two gallant men recently to perform, but She adverts also, amongst the motives which induced Her to bring this subject by Message under your consideration, to other and earlier services which it has been in their power to render to their country; and I think it will be right that I should shortly advert to those earlier services, in order to show to your Lordships that the merits of these two distinguished officers are not confined to their late efforts, but that they have been in both cases manifested in a long career of noble, gallant, and successful exertions in the profession to which they belong. My Lords, neither of these gallant officers is young—the younger of them has been forty-two years in Her Majesty's army—I refer to Viscount Hardinge. He entered that service at a very early period of life—at the commencement of the present century; he joined his regiment before he was fifteen years of age; he joined it in Canada, and came home a lieutenant after the peace of Amiens, when so large a portion of the troops who were then on foreign service returned to this country. But he was not desirous of wasting his time in idleness, or the enjoyment of the comforts of home; and he therefore took advantage of the institution which is now the Military College at Sandhurst, for the purpose of there pursuing that scientific course of study which is so advantageous to those who wish to acquire all that is necessary for efficiency in the service, and which has sent forth to the army such a number of distinguished individuals. In 1807, I think it was, he was appointed to the staff of the corps commanded by Sir Brent Spencer, which was then destined for foreign service; but the destination of that corps was afterwards changed, and it was sent to Portugal, to serve under my noble Friend the noble Duke behind me (the Duke of Wellington), and Lord Hardinge was present as a young lieutenant, I believe, in the first two battles fought in the Peninsula, at the commencement of that campaign, the memory of which will never expire in this country. He was present at the battle of Vimiera, and there he received his first wound; for he has had the misfortune—I will not say misfortune, for that would seem to be an inappropriate term—but it has been his fortune to be wounded three times. However, at Vimiera, he received his first wound; but he continued with the army in its march into Spain under Sir John Moore, who was so struck with his bravery and talents as a young officer, that he placed him on his own staff; and he was one of those who had the melancholy task of witnessing the expiring breath of that gallant and distinguished commander. He came home with that army when it returned; but no sooner were reinforcements sent out, and further military operations contemplated in the Peninsula, than he made application to accompany them. He was then appointed Assistant Quartermaster General of the Portuguese army under Field Marshal Beresford; and no doubt he was selected for that duty on account of the peculiar skill he had displayed in the management and formation of troops; and he continued in that situation for the greater part of the remaining campaign in that country. He was present, I think, in almost every battle that was fought; his name was mentioned in several, and he did his duty in all. He was present at the battles of Vimiera and Corunna: at the passage of the Douro; at the battle of Busaco; and at all the operations connected with the defence of the lines of Torres Vedras; and next at the famous battle of Albuera, one of the most remarkable specimens, I think, of gallantry and success that has ever been exhibited. He was colonel at that time, I believe; but whatever his rank was, high or low, the share he had personally in directing some of the operations in the course of that battle can never be forgotten by those who witnessed them, or by the army to whose victory he so essentially contributed. He was present at both the first two sieges of Badajoz, and at the siege and capture of Ciudad Rodrigo; he was also present at the third siege of Badajoz; at the battle of Salamanca; at the battle of Vittoria, where he was severely wounded; and at the battle of the Pyrenees, that desperate affair, which lasted no less than three days, and where there was more or less of the variety of fortune, but which ended in a victory over one of the most

gallant and distinguished officers of the French army, Marshal Soult. He was afterwards at the passage of the Nivelle, at the battle of the Nive, and at Orthez. In every one of those actions he bore a part; and the situation he held enabled him to acquire more knowledge of the art of war upon a large scale than falls to the lot generally of the regimental officer; for the duties he has to perform are generally confined to the regiment to which he is attached; and I am bound to presume at least that it was the knowledge of his capacity for the discharge of duties of that kind that induced my noble Friend, the noble Duke, in 1815, to attach Colonel Hardinge to Marshal Blucher's army; and I recollect that, in one of those letters, which, happily for the honour of this country, for the benefit of future history, and for the eternal renown of the author of them, have been preserved, my noble Friend, the noble Duke points out Colonel Hardinge to Marshal Blucher, and says, "I send him to you, and he has my entire confidence." Now, my Lords, did any man ever acquire the confidence of that noble Duke without deserving it? And I think there cannot be a greater proof of the talents Lord Hardinge displayed in whatever situation he was placed, than the fact of his being selected by the noble Duke, and enjoying all his confidence to fulfil a most important duty at a most critical period—for it was just before the battle of Waterloo, upon which the fate of all Europe depended. In the execution of that duty with Marshal Blucher, he was present at the battle of Ligny; and there he was for the third time severely wounded. He lost his left hand, which rendered a most painful operation necessary; but he did not abstain from doing his duty in spite of that. I believe he was present at the battle of Waterloo, or some part of it, although he had been under the necessity of undergoing that most painful operation, which to a less ardent spirit would have prevented his taking a share in those operations. My Lords, he has received as a reward for those services, nine medals, one cross, and five clasps. They were given for his service at Badajoz, Albuera, Busaco, Salamanca, Vittoria, the Pyrenees, Nivelle, Nive, Orthez, and last, though not least, Waterloo. Now, I think it may fairly be presumed that a man who has been presented with these nine medals, for services in nine battles which are connected with the history of the last war in Europe, is a man whom we may safely deem to be deserving of the notice which his Sovereign has taken of him, and of the compliment which your Lordships have been called upon to pay him, in conferring upon him the rewards which have been proposed. I do not know, my Lords, that it is necessary for me to say more with respect to Viscount Hardinge; for I am addressing those who do not require to be instructed, but who know as well as I do what his merits are. With respect to Lord Gough, my Lords, he also is an officer whose whole life has been passed in the service of his country. He has been fifty-two years in the army. In the earlier part of his career he was employed in foreign service; he was in a great variety of instances exposed like others to the chances of war; and always performed his duty so as to gain the approbation of the officers under whom he served. In 1806 he joined the army in the Peninsula with his regiment, the 87th, and served with that regiment through the whole of that campaign; and he was present in command of that regiment at Salamanca, Barossa, Vittoria, and Nivelle. He was present also at the siege of Cadiz, and the siege of Xarifa. At the battle of Talavera, his horse was shot under him, and he himself was afterwards severely wounded in the side. At Nivelle he was severely wounded for the third time. It has been his lot, as well as Lord Hardinge's, to suffer three times by severe wounds. He afterwards commanded the land forces in China, and, as your Lordships are well aware, your Lordships were pleased to vote him your thanks, within the last three or four years, for the services he performed; and no doubt those thanks were richly deserved. He is now colonel of that regiment with which he served in the Peninsula; and that regiment, my Lords, is an Irish regiment, and Lord Gough is an Irishman, worthy of Ireland, because whatever differences there may be amongst that gallant and high-spirited people, I believe there is no instance on record in which, in the service of their country, by land or sea, these differences have ever produced the slightest relaxation of their exertions, or impaired the efficiency of them. The sound of the trumpet and the roll of the drum appear to silence all differences whatever; and they have but one contest then, and that is who shall best do the duty entrusted to them. Lord Gough is an officer, as I have stated, of long service—of gallant and distinguished

merits, and he is a fine old gentleman. [*Laughter.*] Your Lordships may smile; but I do not think that that characteristic of an Irish soldier is deserving of a smile, except of approbation. He is a man beloved by the troops he commands, and by all the officers who serve under him; and I will mention a circumstance which occurred, when it was proposed to grant him the honour of the Peerage, which is strongly characteristic of the old Irish gentleman. When one of his friends—I believe it was his son—was asked what title Sir H. Gough would have, he said, "My father was always called 'Old Gough,' and I do not think he would like to go to his grave under any other name." That is a fact which makes me think cheeringly of the man; and although it has nothing to do with the high honour he has attained, yet I do not think it misplaced to allude to that little circumstance. My Lords, Her Majesty in this Message invites your Lordships to co-operate with the other House of Parliament, in making some provision for these two distinguished individuals. It is not for me to state to your Lordships what the precise nature of that provision may be: originating as it does in the other House of Parliament, it will doubtless find its way here; but I do wish to state to your Lordships that the Court of Directors of the East India Company, under whom Lord Hardinge and Lord Gough immediately serve, have felt it to be their duty to take such steps as are in their power for granting a pension to Lord Hardinge for life, and one also to Lord Gough; and I am bound to say, in justice to the East India Company, that it was their own spontaneous act. I might, recollecting what had been done in other cases of a similar kind, have felt it was probable, and I did so feel, that the same course would be pursued in the present instance; but I said not one word directly or indirectly to them upon the subject; the liberality they are prepared to show is entirely their own spontaneous act, and is, I think, an honour to them, as it is to those upon whom their liberality is bestowed. Those acts on the part of the Directors of the East India Company cannot, according to the law which regulates their proceedings, take effect immediately; but after having been agreed to by the Court of Directors, must be brought forward by the Directors at the Court of Proprietors, and a certain time must elapse between sending it there and their entering into consideration of it. Still there can be no doubt that the Court of Proprietors, who are never wanting in liberality upon occasions of this kind, will cheerfully and readily concur in what is proposed by the Court of Directors. That, however, is a circumstance which does not render it fitting that we should abstain, whenever the opportunity arises, from recording our sense of the services of those officers; and, therefore, all branches of the Legislature will have done their duty, and the East India Company will have done theirs; and I am sure there can be but one feeling in the minds of these two distinguished officers, of gratitude for the confidence, the approbation, and the liberality of Parliament. The noble Earl then moved the following Addresses:—

"That an humble Address be presented to Her Majesty, to return Her Majesty the Thanks of this House for Her Majesty's most Gracious Message, informing this House 'That Her Majesty, taking into Consideration the important Services rendered by Henry Viscount Hardinge, a Lieutenant General in Her Majesty's Army, and the Governor General of India, in the course of the recent Hostilities which have taken place on the Banks of the Sutlej and in the Punjaub, is desirous to confer some signal Mark of Her Favour, for these and other distinguished Merits, upon the said Henry Viscount Hardinge, and the Two next surviving Heirs Male of the Body of the said Henry Viscount Hardinge,' and to assure Her Majesty that this House will cheerfully concur in such Measures as may be necessary for the Accomplishment of this important Purpose."

"That an humble Address be presented to Her Majesty, to return Her Majesty the Thanks of this House for Her Majesty's most Gracious Message, informing this House, 'That Her Majesty, taking into Consideration the great and brilliant Services performed by Hugh Lord Gough, a Lieutenant General in Her Majesty's Army, Commander in Chief of Her Majesty's and the East India Company's Forces in India, in the course of the recent Hostilities which have taken place on the Banks of the Sutlej and in the Punjaub, is desirous to confer some signal Mark of Her Favour for these and other distinguished Merits, upon the said Hugh Lord Gough, and the Two next surviving Heirs Male of the Body of the said Hugh Lord Gough,' and to assure Her Majesty that this House will cheerfully concur in such Measures as may be necessary for the Accomplishment of this important Purpose."

The MARQUESS of LANSDOWNE: My Lords, I wish to say a very few words upon this subject. I have already had the opportunity of expressing the deep sense which I entertain of the eminent services and heroic actions of both the individuals who are the subjects of this Message; and I have the satisfaction to be made aware that, in expressing that sense, I was only expressing the unanimous feeling of this House; and, my Lords, I feel now, that it

would be to run the risk of being wearisome to your Lordships, if, indeed, any sense of weariness could be entertained in connexion with a consideration so conducive to the glory and the future prosperity of this country, were I now to repeat all that I then felt, and which I still continue to feel, upon the subject. My noble Friend who has moved the Address in answer to this Message, has most fully and particularly, and I must say, most naturally, taken this opportunity of adverting, not only to those great events which are immediately present to your Lordships' recollection, and have recently demanded your attention, but he has also taken this opportunity of adverting in detail to that series of actions which in both the cases now before your Lordships have marked from the earliest dawn of their career the life and conduct of these two eminent individuals. It is the fortune of the great majority of those who are engaged in public life, whether military or civil, that it is only at the close of their career, and when death has put an end to their efforts, that the public are excited to a general review of their past conduct, and are enabled justly to appreciate the whole of their career, and to weigh and pronounce upon the qualities and extent of the merits they have displayed. But some are so fortunate that, as in the present case, it happens that some great and brilliant achievement is performed, which throws a light so intense, so vivid, and so brilliant, that it is at once reflected back upon the whole of the past career of the individual by whom it is accomplished, and that the more recent transactions are viewed only as the crowning halo of past glory, and as placing the capital on the summit of the column. Such is the case in the present instances ; and we are enabled to feel not only that we are admitting among us persons whose recently earned honours no one will be found to depreciate, but persons who, through a long course of usefulness, and in many distinguished services, have never ceased to prove their title to the dignity they have ultimately attained. My Lords, I say, with the fullest confidence that I am speaking the sentiments of all your Lordships, that at no time has this House by Her Majesty's command, ever opened its doors to two more noble spirits, or two more welcome guests. Having said that, I can add nothing to what my noble Friend has stated; but as it is notorious, and as it has been stated by my noble Friend, that the Message has been presented with the view of calling for your Lordships' concurrence in proceedings which it is expected and hoped will take place in the other House of Parliament, for the particular purpose of conferring pecuniary rewards upon these two eminent persons, I wish to take this opportunity of stating, that, concurring in the Message in this respect, I do not do so to confer any pecuniary reward for exclusively military services ; I do so because, in consequence of the advice of Her servants, Her Majesty having been led to promote these two eminent individuals to the Peerage, I think it fitting that this grant should be made to enable them to sustain the dignity which is their reward. I think it is at all times necessary that when a Peerage has been conferred for services, care should be taken by Her Majesty's advisers that the persons so elevated should be able to maintain themselves in the rank in which they are placed. The rank and situation thus given absolutely disqualifies the heirs of these persons from seeking an honest and honourable livelihood in many of the various professions in this country which are open to others ; and therefore that it is more especially incumbent on Parliament to take care, as far as they can, that their independence should be preserved, and that there should be provided not only the honour, but such a fortune as is necessary to secure that independence. It is not for me, however, to condemn or to object to the act of liberality of Her Majesty's Government ; it should be in their discretion to grant any rewards of this sort ; and it is a discretion which ought not in such instances to be exercised by either House of Parliament. I neither mean to call for its exercise or to object to it, but wish to place the vote I am about to give, on the Answer to this Message upon the consideration that the great honour of the Peerage having been conferred, it is in all cases incumbent on Parliament and upon each House to take care that it should be conferred on individuals whose independence should be perfectly secured, and who should be, as to circumstances, on a footing of equality with the great body of your Lordships. My Lords, I will add no more, save that I most cordially concur in the Address which my noble Friend has moved, and which will, I am sure, meet with our unanimous concurrence.

The Duke of CAMBRIDGE wished to occupy the attention of their Lordships for a few moments. He was the more desirous

to do so, because, on the former occasion, when the names of these gallant Officers had been mentioned, so many noble Lords had spoken in praise of them, that he did not wish to intrude upon their time by any observations of his own. At that moment he could not, however, refrain from expressing briefly, and it might be inefficiently, his sentiments. He wished to say that he, as an individual, felt proud to belong to the army. He felt on this occasion, as he was sure every soldier must feel—he felt most proud to belong to an army like that in the East Indies—an army that had acted so gloriously; and he was sure that there was no person, from the humblest ensign to the field marshal, like himself, who must not be proud to belong to the same army. He was sure these events must give great satisfaction to their worthy Commander in Chief (the Duke of Wellington), to witness the conduct of those officers whom he had bred and trained. He wished to say how much he approved of the conduct of those gallant commanders—of Lord Gough and the present Lord Hardinge. He could not refrain from testifying his admiration for the gallantry and bravery shown in these battles, each of which seemed to rise beyond its predecessor in fame, and to entitle them to still greater renown.

Lord BROUGHAM: My Lords, I am sure that I only echo the sentiments of all your Lordships when I say, that as the illustrious Prince has so fitly and so well expressed his satisfaction at belonging to an army in which there are such officers and such men; so we may equally congratulate ourselves that we belong to an assembly whose doors are now thrown open to those illustrious warriors; and I trust that nothing I am about to add will be deemed by any possibility to betoken any exception—it is impossible to take any exception—it is impossible to dissent from one word which has been spoken in praise of the gallant officers on whom the Crown has conferred the honour of the Peerage, or to cast a shadow of a shade of doubt on the conduct of the Government or of the House in approving of the vote about to be passed in accordance with the recommendations of Her Majesty's Government. My gratitude is great towards these men, founded partly on their great services in the field, and partly on the skilful and judicious operations of the Governor General before the army took the field; but above all, for that happy termination of that gallantry and success by which an end, as we may well hope, has been finally put to a war which is in itself a great expense, which was of some duration, which has been attended with a great loss of precious blood, and which at one moment might have created alarm in the country, if indeed we could feel any uncertainty or alarm when our interests were entrusted to such soldiers as our Indian army, and to such officers as Hardinge and Gough. But I must say one word with reference to names which are almost equally famous, but which are not now before us. I feel, indeed, the infinite delicacy of any allusion to such a subject. No one can be more aware of the constitutional doctrine and of the rule, which is a rule of expediency, that all honours conferred for services ought to proceed solely upon suggestion from the Crown; yet, when we are congratulating ourselves that the temple of honour has been opened speedily and without delay to the gallant men to whom this country and the whole Empire owe a debt of gratitude which honours and emoluments could never repay, we may regret that the doors of the temple of honour are not also open to others who have already entered the temple of fame; and of whom upon this occasion, my Lords, it may be said as it was said of the absent busts of Brutus that they shine the more, *quo minus eorum imagines desunt*. His allusion, however, had particular reference to an individual (Sir Charles Napier), one of the most gallant of that heroic band, of those military chiefs, whose deeds were the subject of a nation's gratitude. To his course and valour testimony was not only borne by the Governor General, but by the illustrious Duke under whom he, as well as Lord Hardinge and Lord Gough, were trained and disciplined to war. He named him not altogether for his great achievements, but to show that he was in the recollection of that House, as he was also in the recollection of the country, although, doubtless, for wise and fit reasons, his name was not included in the Message from the Crown.

Lord GLENELG said, that as he had not before given expression to his opinions on this subject, he could not now content himself with a silent vote. The time which had intervened since this subject was under the consideration of the House, was so far advantageous that we could now regard it with more calmness than was possible in the excitement and exultation of the first intelligence; and we might now, in some

sense judge as posterity could judge. After the most dispassionate contemplation of the events in question, he joined in the opinion pronounced not only by this country, but by all Europe—for it gave a character to this age, that throughout Europe there was heard only the voice of generous praise and high-minded approval of our proceedings; and he ventured to assert that the verdict which all Europe had pronounced would be the verdict of posterity—that the history of the last campaign in India was one of the most splendid recorded in the annals of any nation, ancient or modern. In this praise he included, of course, the matchless valour of the troops, and the singular skill of the leaders—he included all the operations of war; but he included also all that preceded and followed the war. He included that forbearance, pushed and nobly pushed to the extreme—a forbearance worthy of a great nation, conscious of its own resources, and anxious only, that if forced into a war, the cause of the quarrel should be so clear that not even envy or slander should be able to breathe a taint on its conduct. Here not a breath had sullied the purity of our motives. He included further the arrangements which followed the termination of the war, which, as far as we were yet enabled to judge, illustrated the moderation and humanity no less than the wisdom of the Governor General. He must call this a most accomplished triumph. Here, crowded and condensed into one campaign, was a series of brilliant victories, each of which singly would have crowned gloriously a separate campaign. Such was the incomparable energy of the commanders—such the irresistible courage of the troops. We had scarcely heard of the first breaking out of the war, and were awaiting the next tidings—not indeed with doubt as to the final result, but with some anxiety as to intermediate events, when victory followed victory with a rapidity perfectly astounding; and we find the forces of the enemy dissipated, his provinces subdued, and the Governor General dictating terms of peace in his capital. This is more like a visitation of nature, than one of the ordinary processes of human action. The bolt instantaneously follows the flash. The tempest sweeps by—it performs its destined work of chastisement, and is past; and all again is tranquil and serene. For these great results our thanks are due, first indeed to that Providence whose superintending care our warriors acknowledged in the very flush of victory; but next to our gallant army and its illustrious leaders. The moral effect of the late campaign could not be exaggerated. It had been felt throughout the civilized world, and would be felt through many succeeding generations. In the midst of peace, and after thirty years of repose, we had been once more roused to war; and though we had long enjoyed opulence, and luxury, and ease, we were found to be still the nation which former exploits had shown us to be, and our soldiers were still the same as all experience had proved them at Salamanca, at Waterloo, and at Blenheim. Did they not owe their thanks, then, to those by whom such results had been accomplished? The nation had not been slow to pay all honour to those gallant men; and their Lordships would be eager to join in this vote of approbation. There was one circumstance which redounded highly to the honour of the army in all its gradations, especially of all the officers; and, of course, of the highest officers—that in the course of this bloody campaign, and in the midst of these bloody victories, there had not been one act of cruelty or any wanton aggravation of the calamities of war; that not one drop of blood had been shed more than the exigency required. There seems to have been but one feeling among all classes—a reluctance to engage in war; and, being engaged in it, an anxiety to close it with honour, and to heal the wounds which it compelled to be opened. With respect to Lord Gough, he could only say that he rejoiced in his success the more because he believed that his private excellencies corresponded with the glory of his military career. With respect to Lord Hardinge, his was a case of accumulated glory resulting from military and civil achievements. During the short period that he had been Governor General of India, he had acquired the confidence of the people of that country. But a short time before he left Bengal for the upper provinces he had issued a proclamation or decree declaring that all offices held by natives should be filled by those best qualified, whatever might be the seminary in which they had been educated. So well did he follow the example set by Lord W. Bentinck, one of the best and wisest governors that India ever possessed; and the effects of that decree could be scarcely appreciated at the moment; it would redound to the credit of the Governor General, and to the benefit of the British nation, and of our Indian empire. His noble and learned Friend had alluded

with great delicacy to a topic which it was very difficult to touch—regret that the doors of that House were not opened to other distinguished persons; and he might be allowed to express his regret that an honour yet higher than had been hitherto bestowed, had not been conferred on that distinguished officer whose name during the late campaign could never be separated from those of Hardinge and Gough, he meant Sir H. Smith. His name would always be found forming part of that illustrious triumvirate, who had carried our arms from victory to victory. Sir H. Smith's career has from first to last been brilliant: on every emergency he had shown great qualities. In all parts of the world, he has exhibited the same energy, skill, wisdom, and consummate military talent in a more limited sphere indeed; but throughout in a manner which gave the highest promise of all that has now been so gloriously accomplished. In conclusion, let him say a word with regard to those who had fallen. He thought that some memorial worthy of a great nation should be erected, on which should be inscribed the names of every individual who had perished from the highest to the lowest, including Sir Robert Sale, Sir John M'Caskill, and Major Somerset, whose career had been brought prematurely to a close, when it might well have been hoped that he would have added more lustre to a name already known to history. They ought to have a memorial, to make, as far as they could be made imperishable, the names of these illustrious men, to whom the country was so deeply indebted.

Earl FITZWILLIAM said, it would be no enviable position in any one who should excite the displeasure of those who proposed this vote by interrupting in the slightest manner the unanimity with which their Lordships were disposed to accept it. It was not his wish to enter upon any discussion, or to raise any debate on points high for the consideration even of that House. He would therefore pass that question by—he would assume for the moment that they had been engaged in a just cause—he would assume that the war might be justified—he would assume all the facts for the moment, though he did not wish to be considered as admitting them without dispute; but there was one point to which he wished to direct their Lordships' attention. His noble Friend who sat by him had most truly stated that though he would acquiesce in the vote whatever it might be—and what it was to be was still wrapped in mystery—he did not mean to sanction the giving of a direct pecuniary reward to such persons as might be objects of Her Majesty's favour; but that it being Her Majesty's pleasure to elevate a noble person to a seat in that House, it was the duty of Parliament to take care—so far as pecuniary circumstances would contribute to independence—that these persons should be placed in an independent position. He was sure that there was not one of their Lordships who did not acquiesce in that opinion, and in the statement made by his noble Friend. But he felt strongly impelled to call the attention of their Lordships and of the other House of Parliament to this—whether the course which it had been proposed to them to take—whether voting this pecuniary—reward he could not call it—but whether voting this pecuniary means of maintaining those who were thereafter to be introduced into that House, was wise and dignified for the House to adopt? He wanted to know why they were to stop at the second generation? If those actions were so great as the world agreed in considering them to be, he would say that the nation ought not be niggardly in supporting the honours which were necessarily conferred upon the great men by whom those illustrious actions had been achieved. It was the duty of Parliament to provide for the individuals who were thus to be introduced into that House, not only in the next generation, but in those generations which were to follow. Why stop at the second generation? Was the nation so poor or so ungrateful as not to extend the reward to succeeding generations? Possibly it might be said that, in the course of two generations, fortunes might be amassed by the parties who succeeded to those Peerages sufficient to sustain the dignity of their position. But, with the independent views which a Member of that House and a Peer of Parliament ought to entertain, he did not see how any fortunes could be amassed. In what the House was about to do they should ask themselves this—were they proceeding in a manner calculated to enable the parties interested to sustain, in a becoming manner, the dignity of the Peerage? It appeared to him that there was great want of consideration in the manner of bestowing rewards upon public servants. If it were right to make provision for the first and second generation, why deprive others of that provision? The Peerage was hereditary, and the provision for maintaining its

dignity ought to accompany it as long as the Peerage itself lasted. He knew it might be said that the House of Commons would be probably unwilling to saddle posterity with a burden of this kind; but he really thought that, upon reflection, the Crown and both Houses of Parliament would see the expediency and the justice of continuing the provision so long as the Peerage lasted. Few Peerages continued in one family—that was, to the descendants of one man—during more than three generations, and therefore he said that Parliament might be generous without saddling posterity with any additional expense.

Addresses in answer to Her Majesty's Most Gracious Message were then agreed to.

COUNTY LIEUTENANCIES IN IRELAND.

LORD CAREW rose to bring forward the two Motions of which he had given notice. The first was for a

"Copy of the Correspondence that took place with the Irish Government relative to the appointment of the Custos Rotulorum of the county of Wexford, on the death of the Marquess of Ely;" and the other was, "That there be laid before this House a Return, showing the several Vacancies which have occurred in the Offices of Lieutenants of Counties, and Custodes Rotulorum in Ireland since the passing of the Act 1 and 2 Will. IV., cap. 17, and the names of the several Persons appointed to fill such Vacancies."

He begged to express his opinion that the noble Lord who had been appointed the Custos Rotulorum of the county of Wexford (the Earl of Courtown) had every claim to any compliment or favour that Her Majesty's Government could confer upon him; and he brought forward the subject not from any feeling of hostility to that noble Lord, or from any personal considerations as far as he was himself individually concerned, but from a feeling of duty towards his brother Lord Lieutenants in Ireland generally. He would beg to remind their Lordships of what had taken place when the Bill had been first introduced during the Government of Earl Grey. On that occasion Viscount Melbourne, who was then Secretary of State for the Home Department, stated, in introducing the Bill:—

"The effect of this measure would be to establish in each county in Ireland an officer through whom there should be a settled communication between the Government of Ireland and the magistracy of each county. The want of such a connection occasioned great evils. The Government was compelled to rely upon the statements of a single magistrate, or of a body of magistrates, on matters in which those magistrates themselves were interested, they being persons of whom the Government could know little or nothing. From these circumstances the Government was necessarily liable to fall into great mistakes. He proposed this Bill as one step towards introducing into Ireland the constitutional Government of England, which could never be done without assimilating the institutions of the two countries. Another advantage would result in the formation of the magistracy. The Lord Chancellor of Ireland would, by this officer, secure the means of informing himself of the qualifications of persons recommended for commissions of the peace. At present a strict inquiry into the state of the magistracy of Ireland was necessary, and this could be better effected by having a channel that could be relied on for obtaining the necessary information, than by the present means."

The noble Viscount afterwards, in the course of the debate, stated, in reply to the Earl of Limerick, that "he begged to remind the noble Earl that it was not proposed to abolish the office of Custos Rotulorum, but to unite that office with the other." The noble Duke opposite (the Duke of Wellington) supported the Bill on the general principle. The noble Lord proceeded to quote some extracts from the speeches of the Marquess of Londonderry and the Earl of Wicklow on the same occasion, in order to show the general feeling of their Lordships' House at the time the Bill was passed in favour of uniting the two offices of Lord Lieutenants of counties and Custodes Rotulorum. As to himself, he had but to say that no case could be made, or had been attempted to be made against him as a reason why the office of Custos Rotulorum, when vacant, should not have been given to him as Lord Lieutenant of his county. Without a single exception, whenever the office of Custos Rotulorum became vacant, it had been bestowed on the Lord Lieutenant of the county. In the case of Westmeath, when the former Custos Rotulorum died, the Marquess of Westmeath, as Lord Lieutenant of the county, claimed the appointment, not as a favour, but as a right, and in this was supported by all his friends among noble Lords opposite. The noble Earl concluded by repeating that he had no intention of giving any personal offence by his Motion, and that he had brought the subject forward under a feeling that he was bound to defend the privileges of the other Lieutenants of Ireland.

The EARL of ST. GERMANS, after complimenting the noble Lord on the temper in which he had introduced his Motion, proceeded to read the clause of the Act, in order to show that it was distinctly con-

templated, in the passing of the measure, that the Lord Lieutenant of Ireland should have the power of appointing to the office of Custos Rotulorum without reference to the county lieutenancy. The Lord Lieutenant of Ireland was left without any restriction or reservation whatever in regard to this office; and having said so much, he should here protest against the doctrine that the Lord Lieutenant of Ireland was to search *Hansard's Debates* on such occasions, in order to know the sentiments expressed by individuals on the discussion of measures. He (the Earl of St. Germans) was not himself a Member of their Lordships' House at the time alluded to; and his noble Friend the Lord Lieutenant of Ireland was also not in their Lordships' House, having been at the time absent in a diplomatic situation. His noble Friend was bound to look to the Statute-book as his guide, for there was no other authority on which he could safely rely. If the object was to combine both offices, why were not the Custodes Rotulorum appointed to the Lord Lieutenancies of the counties? They found thirty-two Custodes in Ireland at the time; and he believed he had the authority of the noble Duke behind him (the Duke of Wellington), and of the noble Earl near him (the Earl of Wicklow), that these individuals were proper persons to be appointed Lord Lieutenants. If the argument of the noble Lord, that Lord Lieutenants should be appointed Custodes, held good, why should it not also apply the other way to the appointment of the Custodes to the office of Lord Lieutenant? He should also remind the House that in the case of the vacancy which occurred in the county of Down, Lord Castlereagh was appointed to the Lord Lieutenancy, though the Marquess of Londonderry was Custos Rotulorum.

Lord STANLEY said, there could be no doubt but that, as had been stated by his noble Friend (the Earl of St. Germans), the right technically and legally remained with the Lord Lieutenant of Ireland to appoint to the office of Custos Rotulorum an individual distinct from the lieutenant of the county; but at the same time there could be no doubt that in 1831 or 1832, when this measure had been introduced, the intention of the Government certainly was to assimilate the law as to the local superintendence of counties in Ireland to that of England, by appointing to each county in the former country, as in the latter, a Lord Lieutenant who would be also a Custos Rotulorum. It was felt to be a matter of very great importance that the Government should have some person resident in the country, and of sufficient station to ensure authority, to communicate with on matters connected with the magistracy. He believed noble Lords would recollect that in the selection of these Lord Lieutenants, though as a matter of course every Government would give a preference to individuals agreeing with them in political opinions; yet still, that under the Government of Earl Grey, whenever there were found in any county a person of the highest rank resident in that county, such person was, without reference to political opinions, appointed to the office of Lord Lieutenant. [A Noble Lord: Lord Courtown?] The late Lord Courtown was one for whom he had entertained a sincere personal friendship, and he need hardly say that he felt the same sentiments towards the present Lord; but, although Lord Courtown was a resident proprietor, yet his noble Friend opposite (Lord Carew) was a still larger proprietor, and also resident in the county; and with the exception of one having been at the time a Peer and the other a commoner, there was no possible ground on which Lord Courtown could take precedence of his noble Friend. If Lord Courtown had at the time exercised the office of Custos Rotulorum, he (Lord Stanley) had no doubt that the office of Lord Lieutenant would also have been conferred upon him. But the former office had been at the time held, he believed, by the Marquess of Ely, who was not a resident in the county, and who, besides, had by some arrangement been appointed to the lieutenancy of another county. The course pursued was to give the office of Lord Lieutenant to the person holding the largest stake in the county, or, where there were two competitors of equal rank and station, then to give it to the individual who agreed in political opinions with the Government. It was said it would be a great injustice to ask any individual to resign the office of Custus Rotulorum, and as the two offices were thus in many cases given to different persons, the law should necessarily provide that they could be so disposed of. But at the same time he begged to say that it was the intention of the Government at the time, that they, and he believed all subsequent Governments, should, when the office of Custos Rotulorum fell vacant, confer it on the Lord Lieutenant of the county. He did not think that the case cited by his

noble Friend supported his case ; because, though when the lieutenancy of the county of Down fell vacant it had not been given to the Marquess of Londonderry as Custos Rotulorum of the county, still it should be recollected that the noble Marquess was already Lord Lieutenant of an English county, and therefore, instead of conferring the office on him, it was given to his son. This was the only exception that could be cited. He did not know whether he was himself in office at the time to which his noble Friend alluded. [Lord CAREW : The 7th of October.] He recollected hearing of it at the time, and it certainly gave him very great regret that the Lord Lieutenant had not acted differently from the course which he had taken towards his noble Friend. He regretted the course which had been pursued : he thought it was an unfortunate one, but at the same time he was sure the Lord Lieutenant could not have intended the slightest censure on the noble Lord. He said so because he felt, with his noble Friend who had just down, and whose experience of Ireland was still later than his own, that there was no one among the Lord Lieutenants of Ireland who had conducted the duties of his situation more satisfactorily to the Government, without reference to any political considerations, or who had acquired more of the confidence of the Government, and of the esteem and respect of the county over which he presided, than his noble Friend opposite. He thought it was unfortunate and inadvertent that a deviation from the usual rule should have taken place in the case of a person holding so high a position in the estimation of his countrymen, as well as of the Government, as his noble Friend admittedly held. The Government should undoubtedly have at all times in their hands an absolute and legal right of separating these two offices ; but at the same time he considered that his noble Friend was perfectly justified in bringing this case before the House. He trusted that in future there would be an understanding that, unless very strong grounds existed to the contrary, or unless it would be attended by great inconvenience to the public, the two offices should not be separated.

The EARL of WICKLOW said, he certainly heard the observations of the noble Earl (Earl of St. Germans) with great regret, because, after the long time that had elapsed since the Notice of this Motion had been first given by the noble Lord, he did expect that his noble Friend would have been prepared with a different answer on the part of the Irish Government. He did expect that his noble Friend would have said something to the effect that the Lord Lieutenant of Ireland, having looked only into the Act of Parliament, and seeing there that there was no imperative duty imposed upon him of giving the office to the Lieutenant of the county, had, under the belief that he had the complete disposal of it in his own power, given it to a noble Earl whose great services and merits all should allow, but that care would be taken that the mistake should not be construed into a precedent. His noble Friend had, however, rode off on another ground. They did not want him to tell them that the Lord Lieutenant had acted according to the Act of Parliament. They did not want any one to tell them that the Lord Lieutenant of Ireland did not violate the law of the land. He remembered well that a distinct understanding had been expressed in the debate on this Bill, that the two offices should not be separated. He had been in the habit of doing then what he was now sorry for, of attacking the Government of Earl Grey ; but if he had been as well aware then of the principles of parties and of their conduct in Parliament as he was now, he would not have done so. Earl Grey, in answer to his argument for giving the new offices to the Custodes Rotulorum, said that the Government had anxiously considered the matter, but that in many cases these latter were very old men, or not resident in the counties, and that they could not therefore be all selected, but that he would assure the House that it was the firm intention of the Government that hereafter, whenever the office of Custos Rotulorum became vacant, it should, as a matter of course, be given to the Lord Lieutenant of the county. The noble Lord has shown that in every case since that time the understanding had been adhered to. It was clearly impossible that the Marquess of Londonderry could be appointed to the lord-lieutenancy of Down, while he held a lord-lieutenancy in England. He also could confirm the statement of his noble Friend as to the circumstances attending the appointment of the Marquess of Westmeath to the lord-lieutenancy of Westmeath. He was most anxious that his noble Friend should have admitted the political error, and it was a matter of the greatest importance that this should be done. The object of this Bill was to as-

similate the laws of the two countries, and it was uniformly the case that the offices were united in England. The magistrates were appointed by the Custos, and not by the Lord Lieutenant. He trusted, before the discussion was over, that some Member of the Government would admit that an error had been committed, although it was a pardonable error, and should not be drawn into a precedent.

The EARL of ST. GERMANS said, that it never had been the practice in Ireland for the Custos Rotulorum to have anything to do with the recommendation of the magistracy; therefore the evils anticipated by the noble Earl who had last spoken could not arise. The Lord Lieutenant of the county was the person with whom the Lord Chancellor communicated on the subject of any appointments to the commission of the peace. The noble Lord who had held the office of Chief Secretary for Ireland had stated that it was the desire of the Government, with whom he had held office while in the other House, to appoint the same persons to the two offices in all cases; and that the only exceptions had been in cases where the Custodes were either non-resident, or were too infirm to discharge the duties of the lieutenancy. Now, he (Lord St. Germans) was certainly not aware that either the Earl of Roden or the Earl of Dunraven, both of whom had been passed over in these appointments, were either absentees, or were men incapacitated for the duties of the office.

The MARQUESS of NORMANBY said, he had waited in the hope that some Member of the Government would have availed himself of the suggestion thrown out by his noble Friend (the Earl of Wicklow), who had recently addressed the House, and would have taken that only line of defence which he much regretted to see had been entirely laid aside by the noble Earl (the Earl of St. Germans), who had undertaken to defend this appointment, namely, that this act was an oversight on the part of the Government in Ireland. He felt it necessary to say a few words, as an additional witness, having been a party concerned in the case of the lieutenancy of the county of Westmeath, when conferred on the Marquess of Westmeath, to which allusion had been made. That noble Lord had written to him, stating frankly that he did not ask the lord-lieutenancy as a favour. Lord Melbourne, who was then Prime Minister, was written to; and his answer was clear and distinct, as were all communications from that Nobleman—"Whether you may like it or not, after the discussions that have taken place, you have no alternative; Lord Westmeath must be Lord Lieutenant of the county of Westmeath." What could more distinctly prove that the separation of the offices was most inimical to the public convenience, and to the due despatch of the public business, than the defence which the noble Earl (the Earl of St. Germans) had brought before the House—namely, the question whether the Custos Rotulorum did there, as here, return the magistracy? Did the noble Earl know the state that country was in, before the appointment of Lords Lieutenant of counties? Why, no one recommended the magistrates; the governors of the county did not recommend them; the Government only recommended them. The Custos Rotulorum did not recommend; and it was in consequence of that deficiency that the additional office had been created. In England, the office of Lord Lieutenant being always united with that of Custos Rotulorum, the Lord Lieutenant certainly, in name, was the person who discharged this duty. Did the noble Earl mean to say, that the Custos Rotulorum was the person who recommended the magistracy? Why, he was the chief of the magistracy; and, on the other hand, the Lord Lieutenant was the chief of the lieutenancy. The distinction was as plain as ever, with the exception that it had never been called into practice; for this simple reason, that there never had been so gross a violation of the common practice, which so obviously tended to the public good, as that now brought before the House. The only case in England was in the county palatine of Durham; there the Bishop of Durham was the Custos Rotulorum; and as he could not be the Lord Lieutenant, that office was held by another. But as Custos Rotulorum, he could recommend the magistrates; and, what was more, he appointed the sheriff. He exercised all those functions of a civil nature, which were combined generally in the two offices, when executed by the same individual. But the noble Lord had given hardly any defence of those "inadvertencies" which, he must say, had been of frequent occurrence in the administration of the Irish Government in the last three or four years. The House had been told, that a former Lord Lieutenant of Ireland never read the newspapers; they were now told, that the Lord Lieutenant would not be expected to read Acts of Parliament.

If he had no better means of information than the newspapers, rather than remain in ignorance, it would be best that he should read the newspapers. As to *Hansard*, it had only been alluded to as an authentic record of that which transpired in debate, and of the Parliamentary understanding duly entered into between the different parties to the discussion. He (the Marquess of Normanby) knew not how this matter would end; but he felt called upon to throw out for the consideration of the Government the fact that there was a noble Lord who might put an end to all this public inconvenience of establishing a precedent detrimental to the public service. It was not for him to suggest to that noble Lord what course he ought to take in this instance; but after the attempt at a defence which had been made by the noble Earl opposite (the Earl of St. Germans), he (the Marquess of Normanby) thought it desirable that that House, unless the Government gave some assurance on the subject, should come to some resolution that the proceedings which had taken place in this case should not in future be drawn into a precedent.

The MARQUESS of LANSDOWNE (after a short pause) rose and said, he should not have thought it necessary to have said a word on the present occasion if any declaration, such as that which had been suggested, had been made on the part of Her Majesty's Government. He had naturally expected and had waited for it; but, perceiving that no such declaration was likely to be made, he conceived himself bound, after what had taken place, to concur in the astonishment which had been expressed at the solitary defence which had been set up on this occasion for the conduct of the Government. He felt it to be peculiarly necessary that the sense of the House should be marked on the present occasion. He also thought it necessary to add his testimony to that of many other noble Lords, who had been enabled to speak from their own experience, that, having sat in the House and heard all that passed on the subject of the appointment of Lords Lieutenant of counties by Act of Parliament he had understood that nothing was more clear than the intention expressed in that House (and, he believed, also expressed in the other House of Parliament) on the part of the Government at that time, that the two offices of Lord Lieutenant and Custos Rotulorum should be united. The clause of the Act of Parliament referred to by the noble Earl who had defended the appointment which had been made in the present instance, was one which it would have been preposterous not to have inserted in the Act for the purpose of preserving the prerogative of the Crown; because cases might arise in which it might be most material to make a separation between the two offices. For instance, if the Lord Lieutenant was disqualified by illness, by absence from the country, or for other considerations, from duly discharging the duties of that high station, it was quite fit that the Crown, who was sole judge of the disqualification, should remain armed with power to separate the two offices. But was it to be inferred from this, that it was intended, notwithstanding the declarations of the Government, by which the measure was introduced, of which declaration the noble Earl opposite (the Earl of St. Germans) considered it to be the function of the Lord Lieutenant of Ireland to remain ignorant, that the rule and practice were to be set aside. At all times such a matter as that now before their Lordships must be of importance, but in the present state of Ireland it was more important than ever. It was of the utmost importance where addresses were made by high authority in Parliament, calling upon the resident landlords of Ireland to discharge their duty. If they were, as undoubtedly they were, most powerful instruments for preserving the welfare and peace of that country, was the present a time to be chosen by the Government for the violation of a rule which had been adopted by Parliament as the fittest in respect of the administration of the important functions united in the character of Lord Lieutenant and Custos Rotulorum? He (the Marquess of Lansdowne) thought it most unfortunate that this deviation from that rule should have occurred at all; and most peculiarly was it unfortunate that it should have occurred in the present year, and after the discussions which had gone on in another place. He did not know in what shape or way the House could mark its sense of the opinions which had been expressed on this subject without a dissentient voice, excepting the solitary and most imperfect defence—imperfect because he had an imperfect case — set up by the noble Earl opposite. He (the Marquess of Lansdowne) expected some declaration would be made by the Government which would relieve the House from further reference to the matter; if not,

he hoped some further reference would be made to it on the Motion of some noble Lord.

The DUKE of RICHMOND said, that concurring with his noble Friend who had just sat down, he wished to see the laws of the two countries, England and Ireland, assimilated. He hoped that Ministers would now speak out, and make a declaration that this matter had arisen from inadvertence; for he (the Duke of Richmond) believed that to be the truth. If they did not do so, he hoped that when the Papers were produced, some noble Lord would move a resolution to the effect that it was desirable the two offices of Lord Lieutenant and of Custos Rotulorum should not be disunited. The noble Marquess who had spoken in this debate (the Marquess of Normanby) complained that the Lord Lieutenant of Ireland did not read *Hansard's Debates*. His noble Friend had lately been abroad, enjoying himself in Italy, and seemed to know but little of what had taken place in this country during his absence. *Hansard's Debates!* Why, if his noble Friend had been here, he would have known that of these it had been said, "let bygones be bygones." He (the Duke of Richmond) defended the Lord Lieutenant of Ireland for not reading *Hansard*, or the newspapers, or the speeches in Parliament, when within twenty-four hours the man who delivered a speech could entirely change his opinions, or, if not, so alter his course of proceedings as to indicate a change in opinions formally expressed and recorded.

The DUKE of LEINSTER was understood to say, that the public convenience was much forwarded by the union of the two offices.

The EARL of ST. GERMANS (across the Table), was understood to observe that if it were intended that the two offices should be consolidated, the course for him to pursue would be to bring in a Bill to unite them.

The MARQUESS of LANSDOWNE said, he had been misunderstood by the noble Earl, for he had expressly stated that the prerogative of the Crown ought to be preserved. All he (the Marquess of Lansdowne) asked was, that the noble Earl would state that the matter had arisen out of inadvertence, and would not be likely to occur again. This the House had a right to expect; and if that assurance was not given, it would not discharge its duty if it did not in some way see that its own understanding on the subject was preserved and adhered to.

The DUKE of WELLINGTON said, that he had not had an opportunity of talking to any gentleman connected with the Government of Ireland on the subject, and therefore he was not enabled to state how this matter occurred; but he remembered perfectly that he was in the House when the Bill in question was under discussion; and though sitting on the other side of the House, he had supported the Bill brought in by the then Ministry. He also remembered that he had stated as his opinion that the officer holding the appointment of Lord Lieutenant of a county ought to be selected from amongst the principal persons residing in the county; and he also stated that the Lord Lieutenant ought also to be the Custos Rotulorum. He knew that the person holding the office of Custos was an officer of the Lord Chancellor, while the office of Lord Lieutenant partook rather of a military than a civil character; still he had stated as his opinion that both of those offices ought to be held by the principal person resident in the particular county. That was his opinion now. He would state here and everywhere that the two offices ought to be held by one officer, and that officer the Lord Lieutenant. He could not take upon himself, without consulting gentlemen connected with the Government of Ireland, to say what should or what should not be the case in future: he stated candidly what had been and still was his own opinion. He was, however, convinced, that if any mistake had been made, it had been honestly and fairly made from a contemplation of the Act only, and without reference to any thing that might have passed in this House on the subject. It was possible that, not seeing or not being aware of what passed, his noble Friend the Lord Lieutenant of Ireland had made what he (the Duke of Wellington) certainly thought was a mistake; but still he could not pretend to say that the thing should not happen again, without having an opportunity of consulting those connected with the Government of Ireland on the subject.

LORD REDESDALE said, he was not surprised that a mistake had occurred, if it had arisen from what had taken place in that House, when first the parties who set the example of misunderstanding were the very parties who had themselves brought in the Bill. The present cry came very ill from that quarter.

Motion agreed to.—House adjourned.

HOUSE OF COMMONS,

Tuesday, May 5, 1846.

MINUTES.] NEW MEMBER SWORN. For Linlithgow District of Burghs, Earl of Lincoln.

PUBLIC BILLS.—3° and passed. Polling Places (Ireland).

PETITIONS PRESENTED. By Mr. Ewart, from Electors and other Inhabitants of the Royal Burgh of Dundee, complaining of refusal to grant Sites for Churches to the Free Church (Scotland).—By the Earl of Arundel and Surrey, from the Inhabitants of Birmingham, Youghal (Ireland), Cranbrook, and Bourne, for the Adoption of Measures for promoting the more Due Observance of the Lord's Day.—By Mr. John O'Connell, from Catholic Inhabitants of the Parish of Newtownards, and by Mr. Pusey, from Secular Clergymen and Laymen of the Village of East Hendred, in favour of the Roman Catholic Relief Bill.—By Mr. Fuller, from Inhabitants of the Parish of Llansadwrn, and by Sir Howard Douglas, from Members of the Congregation assembling at St. Martin's Church, Liverpool, against the Union of St. Asaph and Bangor Dioceses.—By Sir Howard Douglas, from William Heap Hutchinson, of Liverpool, Proprietor of Steam Shipping plying between Liverpool and Ireland, praying that all Expenses for the Erection and Maintenance of Lighthouses, &c., be defrayed out of the Public Revenue.—From Directors and Guardians of the Poor of the Mutford and Lothingland Incorporation, for Rating Owners of Small Tenements to the Poor Rates in lieu of Occupiers.—By Mr. Thomas Duncombe, from Owners and Ratepayers of the Isle of Wight, for Inquiry into the Management of the Isle of Wight Roads.—By Mr. Matthew Bell, from Ratepayers of Cornwood, Wylam, Whitley, Enmundbyers, and Bellingham, for Repeal or Alteration of the Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Mr. Sharman Crawford, from Poor Law Guardians of the Downpatrick Union, for Relief from Payment of Loan granted for the Building of their Workhouse.

CORN LAWS—OATS.

House in Committee upon the Corn Importation Act.

On the first item, that "upon all Wheat, Barley, Oats;" and on the word "Oats" being read,

LORD G. BENTINCK said: I rise, Sir, to move the omission of the word "oats." Our former discussions have almost entirely turned upon the species of grain with which mainly the people of England are concerned, and they have turned scarcely at all upon that species of grain in which the people of Ireland, Scotland, and Wales, are more particularly interested. Sir, when we come to consider that there are 558,000 occupiers of land in Ireland, almost every one of whom is a grower of oats, we cannot but admit how important it is to Ireland that we should not hastily alter the law which protects their grain in the English market. The annual importation of oats into England from Ireland, in the last and in former years, amounted in value to a sum of money little short of two and a half millions sterling. Now, supposing that the free importation of foreign oats would only lower the price to the extent of 10 per cent, it would affect Ireland in a very grievous degree. In the single article of oats alone, it would amount to what we may call a tax upon the profits of Irish agricultural industry of not less than 250,000*l.* a year. And in looking at the price of oats abroad, I find that the price is such in years of abundance, that 10 per cent is a very small deduction to reckon as a consequence of the importation of foreign grain. I hold in my hand a return of the prices of oats exported from the countries on the Baltic from the year 1817 to the year 1839 inclusive—a period of twenty-three years; and throughout the whole of that time I find that the average price of oats was 11*s.* 7*d.* per quarter. Now, the freight from the Baltic differs in nothing but that it is somewhat less than the freight from the western coast of Ireland. So, upon an average of years, unless the agriculturists of Ireland can afford to compete with foreign oats at a price of 11*s.* 7*d.* per quarter, they must be grievously injured by the competition of foreign oats. But I will not rest upon the prices of one place alone. I will take the price of oats at Amsterdam, at Hamburgh, at Dantzic, and at Riga, from the year 1841 to the last year; and I find that the lowest price—mark, not the average, but the lowest price—of oats, was:

In 1841, at Amsterdam ...	9*s.*	0*d.*	per qr.
Hamburgh ...	8*s.*	6*d.*	,,
Dantzic	12*s.*	0*d.*	,,
Riga	11*s.*	0*d.*	,,

I find that the lowest price of oats was—

In 1842, at Amsterdam ...	12*s.*	6*d.*	per qr.
Hamburgh ...	8*s.*	6*d.*	,,
Dantzic	11*s.*	6*d.*	,,
Riga	10*s.*	0*d.*	,,

I find that the lowest price of oats was—

In 1843, at Amsterdam ...	7*s.*	0*d.*	per qr.
Hamburgh ...	11*s.*	9*d.*	,,
Dantzic	10*s.*	0*d.*	,,
Riga	6*s.*	6*d.*	,,

I find that the price was—

In 1844, at Amsterdam ...	12*s.*	9*d.*	per qr.
Hamburgh ...	10*s.*	9*d.*	,,
Dantzic	12*s.*	6*d.*	,,
Riga	6*s.*	6*d.*	,,

I find that the lowest price of oats was—

In 1845, at Amsterdam ...	11*s.*	9*d.*	per qr.
Hamburgh ...	11*s.*	10*d.*	,,
Dantzic	10*s.*	6*d.*	,,
Riga	10*s.*	6*d.*	,,

I hold also in my hand an account of the price of oats in earlier years, at various parts of Europe. The prices I have already read are derived from corn merchants' circulars; but the list I am now about to read is taken from the Report of

the Committee of the House of Lords in 1827. In 1827, the price of oats at Amsterdam was 7*s.* 6*d.* per quarter; at Riga it was 10*s.* 4*d.*; at Koningsberg it was 8*s.* 4*d.* In 1825, the price at Koningsberg was 7*s.*; at Archangel it was 7*s.*; in the Elbe it was 6*s.*; at Dantzic in 1825, it was 6*s.* 6*d.* In 1824, at Dantzic it was only 5*s.* 5*d.* per quarter. At Stettin it was 8*s.* 6*d.*; at Rostock in 1824, it was 7*s.* 6*d.*, and at Copenhagen it was 8*s.* 4*d.* [The noble Lord read the prices at several other places, to the same effect.] I have, therefore, given (he continued) twenty parts in Europe in which, in the years 1824, 1825, 1826, and 1827, prices were so low, that if the foreign oats had been admitted duty free to compete with the oats of Ireland, it is clear that if the oats of foreign countries had not driven the Irish oats out of the market, yet at least they must have reduced the price, to the very serious injury of the agriculturists of Ireland. The right hon. Gentleman the First Minister of the Crown has said, "If the distress in Ireland is such that even you are driven to a suspension of the Corn Laws, what possible good can protection be to the agriculturists or peasantry of Ireland?" But I do not think—I never said—that the suspension of the Corn Laws will confer any benefit upon the Irish people. I never said so; but we were asked if we would consent to the suspension of the Corn Laws; and whatever the right hon. Gentleman may have understood, no one else misunderstood me; for I clearly and distinctly said, "it will do the Irish people no good. The suspension of the Corn Laws will not admit one grain of wheat or of oats into Ireland." But I said, "You have wickedly told the people of Ireland that we who sit on these benches, and hon. Gentlemen opposite, who oppose the Coercion Bill, are depriving the people of Ireland of their food—that we are the cause of their starvation." No! I emphatically said, that in the present state of things—in the present state of prices—with the present prices of Europe, where there has been real scarcity, compared with the present prices of England—the foreigners could not afford to export a single grain—and, therefore, that we would be no parties to that delusion; but as you had mocked the people of Ireland with false expectations, we consented to allay their irritation of feeling by a temporary suspension of the Corn Law, which would give a practical proof to the people of England and of Ireland that no good result would follow—that in this year alone the suspension would be of no effect. But I said, that as the people of Ireland had been excited to expect good would come to them from the suspension, we would not be the party to stand between them and the suspension of the Corn Law for a given period. The right hon. Gentleman has referred to my statement, that there are 558,000 holders of farms in Ireland not exceeding fifteen acres each, who have no capital but their own industry and their own honesty; but the right hon. Gentleman omitted the very important portion of the statement, that they held but fifteen acres. For how could it be possible that a farmer who holds fifteen acres can have much capital? Can he possibly have thrashing and winnowing machines, and the other requisite machinery for the management of a farm? But we must deal with such a state of things as we find. We did not make that state of things, but we find 558,000 occupiers of land in Ireland who hold but fifteen acres; and we are to say—if we may believe my Lord Essex, with whom the right hon. Gentleman seems very much to sympathize—that they ought never to have been farmers, and consequently that they may at once be sacrificed; that 558,000 farmers, employing three millions and a half of human souls, are to be sacrificed, because they do not possess the required amount of capital. But the right hon. Gentleman omitted to state, that those persons are holders of only fifteen acres. It might, certainly, have been better that there should be no small tenements in Ireland; but, as I have already said, we must deal with things as we find them. I cannot cut up human beings like a log of wood. When we find three millions and a half of human creatures, we must take care that we adopt no measure by which they will be reduced to beggary and wretchedness. But it seems that the principles of political economy go so far as to say, that these three millions and a half of human beings are not properly occupied. There was a time when the right hon. Gentleman scouted such political economy as this. I recollect the time when he approved of the description of the political economist contained in the letter of my noble Friend the Member for the City, to the electors of Huntingdon. My noble Friend, in that celebrated letter, described them as a body whose doctrine it was to buy in the cheapest market, to substitute the corn of Russia and Poland for our own

—as a body of men who cared nothing for the difference between an agricultural and a commercial population, and who disregarded the moral and social happiness of the people—as a body of men who counted for nothing a hardy race of farmers and labourers—as a body of men, with whom wealth was the only object of speculation, and who cared nothing for the claims and pretensions of the unprotected poor. Such was the description to which the right hon. Gentleman once gave his hearty concurrence. I recollect that the right hon. Gentleman was interrupted by the hon. Member for Montrose, and what was his language then? "You sat for the likeness," exclaimed the right hon. Baronet, on that occasion apostrophizing the Member for Middlesex, "you present the faithful resemblance of a harsh, cold-blooded, political economist!" —"of one whose only object and exclusive aim is the development of his own peculiar system—of one who, wedded to his own theory, would rejoice, if through its practical carrying out, the produce of the fertile foreign soils, half tilled by wretched implements, and still more wretched peasantry, should displace in our own markets, the products of our agriculture." Sir, if the Member for Middlesex then "presented the faithful resemblance," then "sat for the portrait" of "a harsh, cold-blooded, political economist," I want to know whether we might not now find a no less striking "resemblance," an equally faithful "portrait" of the same character, in the person of an eminent teacher of political economy, at this moment seated on the Treasury bench? Sir, I remember that on a former occasion the right hon. Baronet said, "What has protection done for the several holders of land in Ireland?" Sir, I rather think the question to be answered is, whether the five or six hundred thousand small farmers of that country are worse off than they were at the time of, or rather till some few years after, the Union, when free trade prevailed? I do not think it is easy to dispute, that Ireland has progressed in prosperity since then. Why, Sir, Ireland previously imported grain, while now she is an exporter of grain to the amount of nearly five millions sterling per annum, and of other agricultural produce, which will be affected by the measures now in agitation, to the extent probably of ten millions per annum, though the amount has been estimated, indeed, at no less than 17,000,000*l.*; but even taking it only at 10,000,000*l.*, what a heavy tax on the people of Ireland would the free-trade policy inflict. But, Sir, to revert to the position of the small holders of land in Ireland. At the time these measure were agitated, that class was fast progressing in prosperity. Mr. Campbell Foster states, that from the secretary of the savings' bank at Cork he learnt, that in the past year 200,000*l.* were paid into that bank by persons in the class I speak of, in sums not exceeding 30*l.* Was not that ground for hope that Ireland was progressing? These sums of 30*l.* certainly would not constitute the capital necessary to a system of farming on a greater scale, or, perhaps, even to save the class of people possessing such a small amount of capital from being sacrificed by the right hon. Baronet at the shrine of free trade. Still, this indicated a state of independence much to be rejoiced at, and showed the existence of a race of men who, though they might not, perhaps, "cultivate their land to the best advantage," or know how "to make five quarters grow where three did before," are yet a class of men whom it would be worse than unwise to sacrifice for the sake of a system. Sir, Mr. Pitt and Mr. Burke both exerted themselves to draw more closely the bonds of union between England and Ireland; and how was it they sought to attain their object? Sir, it was by removing the restrictions of the provision laws, which intercepted trade between the two countries. Mr. Burke sacrificed his seat in Parliament for the sake of this object. And Mr. Pitt, when he addressed the House in support of such a policy, is represented as having spoken with extraordinary power, and to have declared that of all the objects of his political life there was none which ever had engaged, or which ever could engage his mind more ardently and anxiously than the carrying of such a measure. But, Sir, we are now called upon to abrogate the laws they enacted, and to cast off Ireland, and practically to preclude her from entering our markets. We are called upon to deprive her of the partiality and favour she has hitherto been enjoying in our provision trade; and what matters it if you virtually deprive her of the power of competing in our market, whether it is by direct prohibition, or by a ruinous rivalry, she is excluded? Mr. Pitt and Mr. Burke, Sir, thought that the way to conciliate Ireland, and to obtain her enduring attachment for this country, was by removing the restriction upon her trade, and by making it to her advantage to cul-

tivate commercial relations with England. But our measures now, it seems, are to be of such a description that you must drive her agricultural produce out of the market. It may be true you are not about to divorce her; but you are going to admit into the arms of England concubines from every part of the world. Sir, the right hon. Baronet has often repeated that he feels no hesitation or humiliation in confessing his "errors" upon this subject, and acknowledging that he has hitherto been wrong as respects the commercial policy of this country. Sir, I do not wish to say much upon that head—it may not be humiliating in a private gentleman—an individual Member not engaged in the government of the country—it may not be humiliating in such a one to acknowledge that for thirty years of Parliamentary life he has been entirely erroneous in his opinions on a great branch of public policy. But I cannot, Sir, concur with the right hon. Baronet, that it is not humiliating to a great Minister—to one who aspires to be a great statesman—to be obliged to confess that the whole course of his public career has been one continued series of errors. Why, what advantage is there in having men at the helm of public affairs, if not to direct the national judgment? And if he direct it entirely in a wrong course—surely it is humiliating, and surely it cannot be otherwise than a humiliating avowal, that he has governed the country erroneously for a long series of years. Sir, it is the privilege of girls to change their opinions; but even they cannot do so without risk of damaged reputation. And does the First Minister of the Crown think that he can come down to Parliament, and confess that thirty years of experience have been so cast away upon him, that the rumour of a famine—a mere sudden and temporary emergency—can alter all the opinions which that experience established? Does he think he can make such a confession without "humiliation?" But, Sir, the right hon. Baronet said, he thought that if he had changed his opinion, and had not avowed it, that would indeed have been "dishonest," "base," and "inconsistent with his duty to his Sovereign and his country." Sir, I will not enter into a discussion as to how far that might be so. I leave him to settle that matter with his Colleagues, who have declared that they changed their opinions some year or two ago, but yet never acknowledged the fact until the eve of the present Session. For instance, the noble Lord (Lincoln) the Member for Falkirk, when last addressing the electors of Nottinghamshire, declared that the discussions of 1842 had changed his views as to the Corn Laws, and that, in consequence of this change, he had never addressed the House on the subject. I repeat, Sir, I leave it to the right hon. Baronet to settle with his noble Colleague this difficulty as to the duty of a Minister in so delicate a conjuncture. I do not decide how far it would be "dishonest," or "base," or "inconsistent with his duty to his Sovereign," to continue in the Ministry without acknowledging such a change of opinion. But I presume to state, that the right hon. Baronet did remain a Member of the same Administration after his noble Colleague's change of his views on this subject. Sir, allusion has been made to a former remark of mine, on the fact of a recent import having taken place of oats from Ireland to this country; and I have been asked whether I would have intercepted such an import of food from Ireland? Sir, I retort by asking whether an export of oats and oatmeal be not, at the same time, under the auspices of the Government, going on from this country for the relief of the Irish people? and whether that export be not at the price of 18*l.* or 19*l.* per ton? and whether the same commodity cannot be purchased in Ireland at from 13*l.* to 16*l.* per ton? If, as I believe the fact to be, oats and oatmeal have been imported from Ireland, recently, by hundreds and thousands of tons, it should seem that our "Finance Minister" has been purchasing, probably Irish oats, to send back to Ireland for the food of her people; and that he has been buying oats dear in England to export to Ireland where the price is much lower. Sir, this is the converse of his own political economy. We thought the principle of that system was, to "buy in the cheapest market, and sell in the dearest." But the political economy he has recently practised is to buy in the dearest market, and sell in the cheapest. I take the liberty of suggesting that the soundest political economy, on this occasion, would be to purchase the requisite supply of food in Ireland; and thus, by relieving ourselves of the cost of transit, and by buying at the cheapest market, we should at the same time relieve the distressed portions of the country at the lowest cost, and encourage the agriculture of other districts of the country. Sir, we have been taunted with denying that dis-

tress existed in Ireland, and yet with suggesting measures for the relief of distress. Sir, we have never denied that partial distress existed in Ireland. We have from the first declared, that there was potato disease, and that in certain limited localities there was distress. But what we have denied, and do deny, is the truth of the statements put forth by the Minister. We deny the existence of any general distress, of any general scarcity, of anything like famine; and if the right hon. Baronet would consult those whose business it is to ascertain the state of the provision market (as corn factors and corn dealers), and who send out agents to Ireland to acquire information, he would be informed that there is no dearth of food in Ireland. I have letters here, stating, that only three days ago there were several ships unloading cargoes of grain from Ireland; and I find from authentic information, that since December 29, there have been imported from Ireland to London 117,000 quarters, or 16,000 tons of grain. From Limerick alone, 4,890 tons; from Cork, 590 tons; and to those places the Government has been actually sending grain for the purpose of feeding the people. So that the old adage of sending coals to Newcastle has been realized by the proceedings of the Government, who, perhaps, for the sake of making a great display of their anxiety to provide for what they call the dearth of food in Ireland, have been buying grain here at a dearer rate than it could be purchased in Ireland. Sir, some doubt was thrown by the right hon. Baronet on the statements I made as to the proportion of the population engaged in agriculture in Ireland. I repeat my statement, which in substance was, that there were 685,000 holders of farms in Ireland, of whom 558,000 were holders of farms under 50 acres. From the Population Returns of 1839, it appears that there were then 564,294 holders of farms in Ireland not employing labourers, and 95,300 holders of farms employing labourers, making together 659,600, which number deducted from 685,300 (the present number) exhibits an increase of 25,690 within the last fifteen years. That, Sir, is no mean evidence that Ireland is progressing, and that, if left alone, as regarded agriculture, applying remedies required for social evils, and giving a generous and liberal Poor Law, such as will meet the wants of the labouring classes, Ireland might be expected to go on progressing in prosperity. But the way to make Ireland prosperous is not to take from her the protection she enjoys in our English markets. Why, Sir, in 1839 or 1840, the right hon. Baronet at the head of the Government, while opposing some free-trade propositions, said, an 8*s.* duty would be no protection to the agriculture of Ireland, and that it was impossible to peril that agriculture by even such a duty without entailing on the country most serious dangers. And the right hon. Baronet at the head of the Home Department said, no longer ago than last June, that, including Ireland, two-thirds of the people of this country were engaged in agriculture; and that the result of any measure of free trade in corn would be, at once, to throw from 500,000 to 800,000 of the people into pauperism and destitution. Sir, I want to know how the Ministers, who held such language last year, can justify their present course, adopted, as it is, without any evidence enabling them to introduce any new facts or features into the case? How can they now vindicate their advocacy of a measure which six months ago they deprecated and denounced as calculated to prejudice the interests and paralyse the prosperity of Ireland? The noble Lord concluded by moving to leave out the word "oats" in the clause before the Committee.

Sir H. W. BARRON observed, that the people of Ireland would neither thank the noble Lord for the proposition he had made, nor for the manner in which he had made it. The people of Ireland asked themselves the question, what had they gained by protection? and that was the question which every friend and benevolent landlord in Ireland ought to ask himself. He must confess that he was at first greatly prejudiced against the measure of Her Majesty's Ministers, and had only given it his support because he put more faith in the judgment of those political friends whom he was accustomed to act with, than in his own, in such matters; but having weighed the subject maturely, he had now to acknowledge himself, from conviction, a warm and strong supporter of the Government measures. He had had extreme prejudices on the subject, for all he possessed depended on land—all his ties, early education, knowledge, and experience were with and for the land; but he had been led to see the necessity of such a measure as that introduced by Her Majesty's Ministers; and his own tenants, some of them holders of 200 and

300 acres of land—men of experience and judgment, and a majority of whom were, like himself, prejudiced at first against the measure—had come round to the same opinion, and to the belief that the Government measure would not injure Ireland on the whole. He believed, at the same time, that it was not unlikely it might create stagnation or a panic, such as that which occurred when the Tariff was introduced. Holders of stock suffered on that occasion from the panic, but now they were obtaining 25 per cent more for stock than they did before. He remembered also the panic that took place in the butter trade in the south of Ireland, particularly when people believed that the article would be reduced from 25 to 30 per cent, on account of the reduction of the duty to 20*s.* per cwt.; but what was the fact? Instead of the butter trade being diminished, the exports from Waterford and other places had increased fivefold since that time. He could also state, that so far from land being depreciated by the change, it now sold in the counties of Waterford, Kilkenny, Cork, &c., at from four to five years' purchase more than it sold for before that change took place. A similar effect followed the reduction of the duty on wool. Great injury was expected to flow from that measure; but he could state it as a fact that sheep brought from 15 to 18 per cent more after the alteration than before it. He challenged the noble Lord to answer these facts, to the truth of which he could give his personal testimony. He asked them to look at the misery of the Irish people under the present system, by which 3,500,000 persons had been reduced to a state disgraceful to that House and to the country. He was astonished to hear the noble Lord appeal to the restrictive laws as necessary to the prosperity of the Irish people. He believed, on the contrary, that the repeal of those laws would benefit Ireland, and lead the Irish farmers to pay more attention than hitherto to the right cultivation of the soil. The climate of Ireland was not favourable to the growth of corn; and the farmer, therefore, should not depend on corn for the payment of his rent, but on the rearing of poultry, pigs, and cattle, for which the country and climate were much better adapted. The noble Lord was treading on exceedingly tender ground when he taunted Members with having changed their opinions. Why, the noble Lord himself was once a strong unflinching supporter of the Whig party in that House; and, recollecting his own change, the noble Lord should be the last man to give them lectures on political consistency. Such charges came from him with exceeding bad grace; and people would be apt to ask, was this the immutable and unchangeable and unchanged man, who so long followed the Ministry of Lord Grey, and who now taunted those to whose opinions he was then opposed? He held that it was the highest honour to a man to come frankly down and state his opinions when they underwent a change. The noble Lord denied the great extent of the present calamity in Ireland. Now, he could tell the noble Lord that there had been thirteen meetings of the nobility, gentry, and land proprietors of all classes in Ireland, Whigs, Tories, Roman Catholics, and Protestant clergy, all uniting to endeavour to meet the present emergency, and who had subscribed thousands of pounds towards that object. They had also called upon Government to bring food into the market for the relief of the people. The noble Lord said Government ought to go into the market and buy food, thus raising the markets on the ordinary purchasers. A more ridiculous notion, with all deference to the noble Lord, he had never heard mooted in that House. To speak of benefiting the Irish people by sending Government Commissioners into the market to buy up provisions for the use of the people, was the most extravagant proposal he had ever listened to. He had thought the natural course for Government to pursue, in order to reduce the markets, was to procure food from other countries as remote as possible, and send it from time to time into the market to keep the price of provisions moderate. This the Government had done to some extent; and he regretted they had not done so to a greater extent, and at an earlier period. He could assure the noble Lord that the famine in Ireland was no mockery, no delusion. He had not the slightest doubt that, were it not for the course pursued by Her Majesty's Government, instead of having oatmeal at 18*l.* a ton in the south of Ireland, it would have been nearly 30*l.* a ton; and he might state that 18*l.* was about one-third more than the usual price. The noble Lord, however, said there was no actual distress, but in a very trifling degree. Now, he could state from his own knowledge and observation as to the state of four counties, on the borders of which he lived,

that very nearly one-half of the poor labourers were living on the charity of other labourers and farmers; and that were it not for that charity so prominent in the Irish character, there would be thousands of the poor dying from starvation. But the farmers and other classes found it their duty, as well as their interest, to give support to the famishing poor in the districts around them. But the present scarcity was greater than any that had previously been known, and the farmer himself was pinched; and he was afraid the farmer could not render the aid to the poor he had been accustomed formerly to render. The landlords in his neighbourhood had not shrunk from their duty on this occasion. The Marquess of Waterford had been one of the first to come forward; and he employed a great number of additional hands in draining. Lord Stuart de Decies, and other landed gentlemen about his neighbourhood, had acted in the same way. With regard to the price of provisions, he could say, that about Waterford the measure of potatoes called a stone, which usually sold at this season of the year for 3*d.*, was now selling at 7½*d.* or 8*d.*—more than double the price they had been selling for at any period within the last six years. That was the case also in the neighbouring counties. As to the destitution, he could mention a mountain district, seventeen miles long by from four to seven broad, containing a population of from 12,000 to 15,000, in which there were not above 100 families that had the means of subsistence from day to day. Now, in this case, it was quite impossible that the landlord could step in. To maintain the people in that case would require double or triple the landlord's income. Besides, these people were squatters, and had no legal claim on the estate. With respect to the effect of the measures of Government on the condition of the Irish people, it was only that morning that he had read of the arrival at Liverpool of two or three American vessels laden with precisely the kind of food that was wanted in Ireland—namely, maize and Indian flour, and other articles of cheap food. Would that importation have taken place were it not for the knowledge of what was doing in the House of Commons? Did not the noble Lord know that these cargoes must have an important influence on the price of food in Ireland? The noble Lord could not but know it, for everybody must know it. Accordingly the people of Ireland had no sympathy with the present Corn Laws. He could not recollect that more than one public meeting had been called in Ireland to support them; and not more than three petitions in favour of them had been presented from that country. In the conviction that this measure would ultimately tend to improve the condition both of landlords and tenants, and also to ameliorate the relations between them, he should give his most cordial support to the Government on this occassion.

The CHANCELLOR OF THE EXCHEQUER did not rise to pursue the debate on the Amendment of the noble Lord; he would only say with respect to what had fallen from the hon. Baronet who had just sat down, that it was satisfactory to him to hear so strong a confirmation of the opinion entertained by the Government of the real state of Ireland at the present moment; and he thought the hon. Baronet's statement could not but have its influence on those who doubted what the real state of that country was. He wished merely to say one word respecting the Motion of the noble Lord, to which he should confine himself entirely. He thought the noble Lord could hardly be aware of the effect of leaving out the word "oats" from the clause. The real effect of that Motion would be, that after the 1st of February, 1849, oats, instead of paying a 1*s.* duty, as proposed by the Bill, would be admitted without paying any duty at all. The House would observe that in lieu of the duties at present payable on all corn, grain, meal, and flour imported into the United Kingdom, the duties set forth in the schedule of the Bill were to be paid up to the 1st of February, 1849; but the Bill went on to provide what the duties should be after that date; viz., 1*s.* upon all wheat, barley, bear, or bigg, oats, rye, peas, and beans, for every quarter. In lieu, however, of that duty the noble Lord proposed nothing; therefore the effect of the Motion would be that the duty on oats would be lost altogether, and that oats would be admitted without paying any duty. Probably the noble Lord did not contemplate this effect of his Motion: and thinking so, he (the Chancellor of the Exchequer), after consultation with the best authorities, had felt it his duty to state what would be the real effect of the alteration, if carried, in order that the time of the House might not be wasted in a fruitless discussion. Under these circumstances he thought it better to abstain from entering into the

argument upon which the noble Lord founded his Motion.

LORD G. BENTINCK was not quite sure that the Chancellor of the Exchequer was right in his construction of the Bill. The Bill was not a Bill to repeal the Statute of the 5th and 6th Victoria, cap. 14—the present Corn Law, and consequently after the passing of this Bill, that statute would remain in force, with the exception of such parts of it as were specifically repealed by this Bill. In the preamble of the Bill there was nothing that went to state that all the existing duties should be repealed. The preamble merely stated that "from and after the passing of the Act in lieu of the duties now payable upon the entry for home consumption, &c., of corn, grain, meal and flour, there shall be levied and paid, &c., on all corn, grain, meal and flour, already or hereafter to be imported, &c., the duties set forth in the schedule of this Act annexed," until the 1st of February, 1849. There was nothing in that to show that the Bill was to repeal the existing duties; but as the point was a doubtful one, he had asked the opinion of the learned Attorney General, which he had understood to be in his favour. But perhaps the learned Gentleman would state what was his opinion as to the proper construction of the Bill. He (Lord G. Bentinck) must say he thought that where several articles were enumerated on which the duty was to be altered as in this Bill, an article which was not enumerated must be held not to be affected by the Bill in which such enumeration occurred.

The ATTORNEY GENERAL thought it was rather hard that his noble Friend had brought forward his opinion, because his noble Friend, a short time ago, had come and sat by him, and said that he (Lord G. Bentinck) had put a construction on the Bill in which some learned Friends of his differed from him, and that he should be glad to find that he was the better lawyer, and his noble Friend then mentioned his construction of the words; but he (the Attorney General) said that it was a nice question, and that he should not presume to give an opinion upon it. He did not, however, express any doubt, or say anything that could reasonably be brought forward as an opinion on the present occasion. But he must say now, that his right hon. Friend (the Chancellor of the Exchequer) appeared to him to have stated the matter so clearly, that it did not require the opinion of a lawyer to make it more manifest. It was not necessary to have a repealing Act in order to substitute one duty for another; but if there was a subsequent Act, in the affirmative, which was inconsistent with a prior Act, that necessarily repealed the prior Act, so far as it was inconsistent with it. Now, the words of this clause were, "That from and after the passing of this Act, in lieu of the duties now payable upon the entry for home consumption, &c., of corn, grain, meal, and flour, there shall be levied and paid, &c. on all corn, grain, meal, and flour, already or to be imported, &c., the duties set forth in the schedule to this Act annexed," &c.; and that oats were intended to be comprehended within these general terms was perfectly clear, because in the schedule was a distinct head for oats. Therefore it was perfectly clear that oats were included in the general words—"all corn, grain, meal, and flour." Then as there were certain duties to be substituted on all the articles included in this general description, the duties, namely, that were specified in the schedule, up to the 1st day of February, 1849, and from and after that day certain other duties in the clause afterwards specified were to be paid, and when they came to the enumeration of such duties, the article oats was to be omitted, it would follow that no duty would be payable on oats at all. On the whole, therefore, he was perfectly convinced that there was no difficulty about the matter; but that on his noble Friend striking out of the Bill the word "oats," no duty on oats would be payable.

CAPTAIN LAYARD said, as the noble Lord had turned out the best free trader of all, he should certainly give the noble Lord his support if he went to a division.

MR. J. S. STUART was not quite sure that he understood the position of the present question. He understood that the first clause, which granted that up to the 1st of February, 1849, the duties on corn and grain should be those specified in the schedule, had received the sanction of the Committee.

The CHAIRMAN: The question now before the Committee is, that in the fourth line of the first clause, the word "oats" stand part of the Bill.

MR. BORTHWICK apprehended, that if after the words "corn and grain," in the preamble of the Act, the words "excepting oats" had been inserted, the Motion of his noble Friend would have had the effect without question of retaining the existing duty on oats. The question, then,

was, whether that portion of the clause which had already passed the Committee had the effect of repealing the duty on oats. If the duty had been repealed by that part of the clause, then the opinion of his noble Friend was right. He should like to hear the opinion of his hon. and learned Friend the Attorney General as to whether this was not the case. Again, the clause provided that instead of the duties now levied on all corn, grain, meal, and flour, certain other duties "hereinafter specified," should be levied; and if from the hereinafter specification they omitted oats, he could not see how it could be argued that oats were free from all duty.

The ATTORNEY GENERAL would not say that the clause, if amended in the way proposed, would expressly relieve oats of all duties; but the words of the clause showed a manifest intention to substitute different duties for the duties at present existing on all corn and grain; and, supposing that no different duties were substituted on oats, the effect would virtually be to repeal all former duties on that article, although not in express terms repealed.

Amendment withdrawn.

Remainder of the clause agreed to. On the Question that the clause stand part of the Bill,

Lord G. BENTINCK moved that it be omitted.

Mr. FINCH conceived that anything which affected the sister country and her prosperity, and the maintenance of the Union between the two countries, was one of the most important subjects that could occupy the attention of the British Senate. It appeared to him that the speech of the hon. Member for Waterford had rather confirmed the arguments of the noble Lord the Member for Lynn, than weakened them. He seemed to think that Ireland's prosperity was involved in doing away with a great portion of the corn agriculture of the country. If he conceived that Her Majesty's Ministers entertained this notion, and were desirous to see Ireland cease to be the granary of the United Kingdom, then he should consider the hon. Member would be a very useful ally to Her Majesty's Government. But it appeared that the view taken of Ireland's prosperity by the hon. Member and Her Majesty's Government singularly differed; for the latter, as well as all true political economists, considered it would be in the highest degree detrimental, not only to this, but also to the sister country, if such a change took place in her corn agriculture as that this country would cease to derive from her those large supplies of corn at present received, and to that extent make us dependent upon foreign countries. If they passed the measure now before the House, they would, to use the words of Mr. Grattan, sever the strongest link of the Union between the two countries. Indeed, it would be a strong argument in favour of Repeal. A great deal had been said about the justice of the measure. But he would ask, where would be the justice of depriving 550,000 poor Irish tenants of protection, and involving them in ruin? It was very well for a noble Lord having a princely fortune to say, that persons of small capital ought never to be farmers. Here, however, they had 550,000 tenant-farmers with small capitals; and according to the view of the matter taken by the noble Lord to whom he had alluded, they ought to be swept away. Why, Parliament after Parliament, and Ministry after Ministry, had assured them, that in order to get a good supply of corn for England, they should have ample protection; and on the strength of that promise they had invested their all in agriculture, and now, without a moment's notice, they were threatened with annihilation. He contended, that if protection was taken away, the farmers, particularly those of Ireland, ought to be relieved from the malt tax, county rates, poor rates, and other taxes, the justice of abolishing which, on a former occasion, the right hon. Baronet had admitted. They were told that the way to meet foreign competition was by agricultural improvement. This showed how little inquiry into the subject had been made by those who made such a statement: to carry out the improvement would not take a less sum than 300,000,000*l.* In the first place it was said there should be a consolidation of the small farms into the larger ones. Then came the draining of land, and then there was a certain expense for manure, and other incidental charges. The expense of tile draining amounted to not less than 4*l.* per acre; and there were in England and Wales 31,000,000 acres of cultivated land; in Scotland, 9,000,000 acres; making a total of 40,000,000 acres. Striking off 10,000,000 acres already drained, left 30,000,000 acres at 4*l.*, which made the total expense 120,000,000*l.* The improvements consequent upon the consolidation of small farms would not cost less than 6,000*l.* for every farm of a rental of 1,000*l.*

per annum. The total landed rental of the United Kingdom was, he believed, 45,000,000*l.*, so that here would be an expense of 270,000,000*l.*, making, in all, 390,000,000*l.*; and he would venture to say, that if the project of the free traders for the improvement of agriculture were carried out, it would not cost a less sum than 300,000,000*l.* He should give his support to the Motion of the noble Lord.

Mr. O. GORE said, that the question before the House was one of so much importance to the commercial interests of the country, that he could not allow it to pass without making a few observations. He considered it to be a measure of greater moment than any that had been brought before the Legislature for the forty years he had had a seat in that House; and he looked upon it as the era from which they might date the decline of this great Empire. The effect would be ruinous to Ireland, would tend to the loss of their Colonies, and prove detrimental to their shipping interests. In this country it was considered good farming to take three crops of oats from newly reclaimed land; but in Ireland they took no less than ten crops from it. If he could prove that this measure would reduce the price of oats, then he thought he should have shown that it would effectually discourage the reclamation of waste lands. His noble Friend the Member for Lynn had already proved this in an admirable manner—such, indeed, as his proofs generally were; but he would submit other arguments; and first, he would quote the testimony of no less a person than the present Colonial Secretary (Mr. Gladstone), who said, in 1842, in the discussion upon the Tariff, that he could procure annually from the Continent 793,000 quarters of oats at 11*s.* 3*d.* per quarter. To this 5*s.* must be added for freightage, which the right hon. Gentleman said would make the price of continental oats in this country at something like 16*s.* per quarter. Now, let them see what would be done in Ireland. In that country oats were sold by the barrel of 196 lbs.; so that it would take a barrel and three-quarters to make one quarter. Oats were now selling there at from 13*s.* to 14*s.* the barrel; so that, if they deducted from this price 5 per cent for kiln-drying, the barrel of Irish oats must, in competition with foreign oats, be sold for one-half of its present price. He could very well understand the Repealers supporting this measure (it would be enough to make him one if he had not English property); but he could by no means perceive how Irish Members, who were anxious for the connexion of the two countries, could support these commercial innovations. If an Irish Parliament were sitting in College Green, and such a measure was recommended by the English Parliament, it would be indignantly scouted as a grievous attempt to injure their country. The Repealers would say, "You see what your friends in England do for you." To say that this measure would benefit Ireland, was nothing short of downright humbug—a gross and palpable delusion. But he would quote a still higher authority than Mr. Gladstone, or than any of the right hon. Gentlemen on the Treasury bench—Mr. Pitt. What did Mr. Pitt say?—

> "They (meaning the Irish) have no manufactures but one—namely, their agriculture; and the Irish agriculturists must be protected. Ireland must fall, and be a clog on this country, if her agriculture ceased to receive support."

There was no statesman of any renown who advocated such a system. The free-trade doctrines were quite new—they were innovations, of which, God knew, he had seen enough. There was hardly any part of the Constitution that had not been innovated—the Legislature had been remodelled—the Church had been encroached upon; but, thank God! the throne, which was filled by the most amiable and exalted of Her sex, was yet saved.

Mr. F. SCOTT said, it was a strange way of furthering the interests of Ireland to advocate a measure which must infallibly reduce the price of her produce. Nothing was more likely to cause distress there than bringing its grain into competition with that of the foreigner, who could grow it at half the cost. It was said that protection had done nothing for Ireland; but, let it be recollected, that forty years ago Ireland imported corn for her own support. Within the last four years Ireland exported no less than 6,000,000 quarters of oats into this country, and, in the same period, 5,000,000 of cwt. of oatmeal. He could very well understand how Repealers would be anxious for the measure; but he could not conceive how a Minister of the Crown, who had been placed in his high position to preserve the connection between the two countries, could advocate a measure which tended to the dismemberment of Ireland.—Clause agreed to.

Remaining clauses agreed to.

Report to be received.

The House resumed.

House adjourned at Nine o'clock.

HOUSE OF COMMONS,

Wednesday, May 6, 1846.

MINUTES.] PUBLIC BILLS.—1°. Viscount Hardinge's Annuity; Lord Gough's Annuity.

2°. Corresponding Societies and Lecture Rooms.

PETITIONS PRESENTED. By Mr. Macaulay, from Members of the Free St. Mary's Church, Edinburgh, complaining of refusal to grant Sites for Churches to the Free Church (Scotland).—By Mr. Colquhoun, from Curate, Churchwardens, and others, the Inhabitants of the Parish of St. Michael's, St. Albans, against the Roman Catholic Relief Bill.—By Mr. Macaulay, from Inhabitants of Edinburgh, in favour of Art Unions Bill.—By Colonel Sibthorp, from Inhabitants of the City of Lincoln, respecting Employment and Reformation of Discharged Prisoners.—By Mr. Wrightson, from Members of the Board of Guardians of the Poor of the Northallerton Union, against the Poor Removal Bill.—By Sir Charles Napier, from John Blake Kirby, Esq., of the Temple, and of Devonshire Street, Portland Place, Marylebone, for Alteration of Law regulating the granting, renewal, and refusal of Licenses to Publicans and others selling Malt and Spirituous Liquors.—By Sir Thomas Wilde, from Mayor, Aldermen, and Citizens of the City of Worcester, under their Common Seal, in favour of the Salmon Fisheries Bill.—By several hon. Members, from various places, in favour of Roman Catholic Relief Bill.

ROMAN CATHOLIC RELIEF BILL.

The Order of the Day for going into Committee on the Roman Catholic Relief Bill was read.

On the Question, that the Speaker do leave the Chair,

MR. COLQUHOUN expressed his regret that he and those who concurred in his view of the measure had not the benefit of those lights of the legal profession whose opinions would be so valuable on a question of this kind. It would have been highly desirable to have the opinion of men learned in the law on a measure involving so serious a change as that proposed by this Bill. This change not only effected a great alteration in the position of the Roman Catholics, but it went on to extend that alteration in the Constitution, and to the Act of Settlement. Before he proceeded to touch on those points of the Bill in which he differed from the hon. Member who had charge of it, he would say a few words on those points on which they agreed; and here let him make an offer to the hon. Member who had brought in this Bill, and he did so in all fairness and candour. Let the hon. Member take away every pain or penalty which attached to a man on account of his faith. Let him remove the penalty which obliged a Roman Catholic to attend the Protestant church, or which did not allow any one to keep a school unless he were a Protestant. These were enactments which ought not to be allowed to remain on our Statute-book for a single day; but while he, and those who thought with him on this subject, would readily join the parties having charge of the Bill in removing such obnoxious clauses and enactments as those to which he had referred, they must protest against being made parties to important changes in the fundamental law of the country, which our ancestors thought necessary to guard against ecclesiastical encroachments. If the hon. and learned Member (Mr. Watson) would allow him, he would, without the slightest disrespect, pass by him for a moment, and address himself to the Government. The hon. and learned Member must well know that he could not hope to carry this Bill without the consent and aid of Government; and if the Government gave it their support, it was perfectly clear that with the Bill they must also take the responsibility. It would not do to say that the Bill was that of the hon. and learned Gentleman. If once supported by the Government, it was to all intents a Government measure; but he must protest against a measure of such importance being shuffled through the House in the way in which it was, as the measure of the hon. and learned Gentleman, while, to all intents and purposes, it was the measure of Government. Who would have thought that a measure of this kind would have been introduced, effecting such important changes in the law of the country? He would again say that Her Majesty's Government must take the whole of this responsibility upon themselves; for by no other party could such important changes in our law and Constitution be effected. Let hon. Members look carefully at this Bill, and examine its enactments. What were the proposed changes? Why, the very first clause in the Bill was a change in the oath of supremacy. He agreed with his right hon. Friend (Sir J. Graham) that it did not repeal that oath. It left, however, the oath on the Statute-book, but took away the penalties for gainsaying what the oath of supremacy required. Now, he would ask his right hon. Friend what was the use of placing penalties on the Statute-book if they were never to be enforced? Why was the oath of supremacy guarded with penalties? Because it was considered that such safeguards were necessary to repress ecclesiastical encroachments; but was the disposition to those encroachments less at the present time than it had been when the wisdom of our ancestors placed those safeguards of penalties round the oath of supremacy? On looking at the Act for re-

lieving the Roman Catholics in 1829, he found that there were certain high offices which no Roman Catholic could hold. The Sovereign of the country would be incapable of holding the sovereign authority if he became a Catholic: a Lord High Commissioner, Lord High Chancellor, Regent, or Lord Lieutenant of Ireland, were all excluded, if Catholics. Suppose, then, a Catholic to take his seat on the Woolsack, what test would they have of ascertaining the fact of his being a Catholic, if they removed that of the oath of supremacy? Let the fact of a Catholic taking his seat as Chancellor excite no surprise. Acts as glaring and as notorious had been committed by Protestant clergymen, who professed themselves members of the Church of England, when it was notorious they had been long separated from it except in name. He could mention the name of one pervert, who not only conformed to the Roman Church, but visited the head of it—the Pope at Rome—and during two years, while so openly professing himself a Roman Catholic, held a living in the Church of England. These were the acts of clergymen; but were laymen less honest than the clergy? Suppose some future Lord Chancellor, or Regent, or Lord Lieutenant of Ireland, were to become a Catholic, where, if those tests were to be done away with, would be the safeguard—where the security against future perverts? Let him answer; and if his fears were not imaginary, how were they to be allayed? Here was this oath of supremacy as one of the clauses of, or, as it might be said, as part and parcel of the law of the land. This was the opinion of the great Lord Somers, and other able and learned men of his day; and how were we wiser that we could afford to throw away this most useful test? Let him come for a moment to the oath of 1829. That was silent as to the spiritual supremacy, and drew no distinction between spiritual and civil supremacy; but here was one matter which related to civil—the other to episcopal supremacy. Where was the line of distinction to be drawn? This was the question which had so long agitated the Courts of Europe; and many went so far as to dictate in the elections of prelates. Lord Beaumont and many of the laity freely took the oath of 1829; but there were many, high in authority, who did not think it went far enough. The Archbishop of Malta found fault with it; and he consulted the Pope, who declared that the oath was inadmissible. This was not the oath framed by Elizabeth, but that included in the Bill of 1829. Now, he believed that many, the most, or perhaps nearly all the lay Catholics, would take that oath; but, as many of the dignitaries of the Catholic Church objected to it, he should like to have some security that the laity of England and Ireland did not take the same view of it. The hon. Member, after again adverting to the support given to the Bill by the Government, repeated that there was a copartnery between the Government and the hon. and learned Member for Kinsale, and that he was acting as one of the firm. He saw the immense extent to which he would gain by this partnership, and the escape he would have from the fate of a noble Lord, who a short time back fell a victim to the determination of the Government that it would not come to his aid. He was aware it was the fashion, in the present day, to say that these were not matters of practical concern. But he would ask them to consider what might be the result of the exertions of an association of able men, leagued to obtain a particular object, and pressing that object upon the public mind with perseverance and ability, as had been done in the case of the Corn Laws? Could they imagine any association equal in power and influence to a junta of Romish ecclesiastics—the bishops of the Roman Catholic church in Ireland, who, besides influencing 6,000,000 of people, had the absolute control of the priesthood of that church? And was no security to be taken to prevent the exercise of this power in a manner dangerous to the peace of the country, and the stability of the Protestant religion? But it might be said that his opinions were prejudiced on this subject; and he would, therefore, beg to read the opinions of a very able man, the late Lord Castlereagh, whose views coincided with his. [Mr. Colquhoun read a long extract from a speech of Lord Castlereagh, in which that noble Lord expressed his strong conviction that it would be necessary to restrain the power and influence of the see of Rome by wholesome regulations, to prevent their being directed against the temporal interests and security of the State.] He found that this Bill contained a clause to repeal the Statute of Elizabeth, which prohibited the introduction into this country, and the putting into execution, of bulls, writings, and instruments of the See of Rome. Now, he begged to ask the right hon. Home Secretary, whether he

was aware that every law of the See of Rome which might be sent into this country in the shape of a Papal rescript, became binding on the consciences of all Roman Catholics ? The right hon. Baronet was probably aware that, in many of these bulls and rescripts, the claim of the Pope to temporal power was set forth in the strongest manner; and that, so long ago as 1816, France, and nearly all the other European States, prohibited the introduction of these rescripts into their dominions. If admission into this country was to be given to Papal bulls, he wished to know whether the Secretary of State was ready to examine them before their publication ? He (Mr. Colquhoun) had heard that "bulls" were to be admitted under the new Tariff. Were they, then, to be examined by the Board of Trade ? But it was said that this measure would lead to no injurious consequences. Was the preservation of the integrity of the Empire a matter of no importance ? Would the severance of the Empire be a matter of slight consideration? He must confess that he could not contemplate this proposal to increase the power of the ecclesiastics of the Church of Rome without very serious alarm; for they were the very parties who had taken the most active part in the movement for the repeal of the Union with Ireland. But this Bill contained another clause, which he thought was open to the strongest objection, by which it was proposed to repeal certain provisions of the Emancipation Act, and to allow the Roman Catholic archbishops and bishops to assume the titles of their sees. It was well known that by the law of England there could be only one bishop in a see ; and if the Legislature resolved to allow two bishops in the same see, they would sanction a flagrant anomaly, and eventually power must be withdrawn from one or both, unless this measure was intended to prepare for the substitution of the Romish in the place of the Anglican bishops. He might be told that he was contemplating distant consequences; but they appeared to be proceeding, step by step, to such a consummation. The hon. and learned Member for Cork (Mr. O'Connell) had, on a former occasion, referred to a statement he (Mr. Colquhoun) had made, that he believed the leading members of the Roman Catholic Church in Ireland held the principles of the Jesuits, and were associated with that body. When he (Mr. Colquhoun) expressed that opinion it was received with a shout of contempt by the hon. Member for Cork. But that hon. and learned Gentleman, who was in the confidence of the ecclesiastics of the Church of Rome in Ireland, came down to the House a few nights ago, and passed a glowing eulogy on that very body of Jesuits whom he seemed to treat with scorn and contempt, while he (Mr. Colquhoun) had ventured to connect them with the ecclesiastics of the Church of Rome in Ireland. Now, he (Mr. Colquhoun) would read to the House an opinion on the principles of the Jesuits, which proceeded from no light authority. [Mr. O'Connell: Is it from the *Wandering Jew?*] He hoped the hon. and learned Member's knowledge of the works of Eugene Sue was more accurate than his general historical knowledge; for he well recollected the historical knowledge displayed by the hon. and learned Gentleman some time since with reference to Galileo. He remembered that the hon. Member for the University of Oxford, whose memory, unfortunately for the hon. and learned Member for Cork, was very retentive and accurate, proceeded to the library, took down some historical work, and showed the House in five minutes that the whole of the hon. and learned Gentleman's historical statement was a plausible and playful dream; that the hon. and learned Member was wrong both as to the names of the Pope and the Cardinal he had mentioned; and that he was entirely mistaken on a subject with which he should have been so familiar. He would leave Eugene Sue in the hands of the hon. and learned Gentleman, but he would quote the opinion expressed by the Parliament of France in 1762. [The hon. Member read an extract from an *arrêt* of the Parliament, ordering that passages extracted from the books of 147 Jesuit authors being verified, a collated copy should be presented to the King, that he might be acquainted with the perversity of the doctrines constantly maintained by the said Jesuits from the origin of the society to that time.] He begged the House to observe that this character of the Jesuits was not given by Eugene Sue, or M. Michelet, or any other writer of the day, but by the Parliament of France, who proceeded to state that the system of the Jesuits authorized falsehood, perjury, licentiousness—indeed, all passions and crimes ; and that it taught homicide, parricide, and regicide. This, then, was the character of that body which had been panegyrized by the hon. and learned Member for Cork ; and the opinion

he had quoted was fully borne out by Bellarmine. He might mention that in 1820 the Jesuits were expelled from Russia by Prince Galitzin, as persons who had endeavoured to pervert the Russian youth from allegiance to the Crown, and whose continuance in the country was incompatible with the peace of the empire. He left these historical facts to the consideration of the hon. and learned Member for Cork, that he might refute them if he could. When he looked at Ireland—when he looked at Newfoundland—when he beheld the power and influence which were daily obtained in the Colonies by Roman Catholic ecclesiastics over the minds and over the consciences of those who were under their direction and guidance—a power which might excite to dangers neither remote nor visionary; he trusted the House would not consent to pass a Bill which would increase those dangers, the tendency of which would be to excite just alarm and apprehension as to the future. It was, no doubt, in the recollection of the House, that he had presented to it a petition which was committed to him by Roman Catholics resident in Lancashire, whose conduct was in every respect unexceptionable; and what was the object of that petition? In it the parties prayed for legislative interference that they might be protected in their temporal rights as Roman Catholic layman and as Roman Catholic priests, against the enactments and against the claims of a bishop of their church. They stated that their chapel was closed at the pleasure of their bishop—that while the bishop declared the character of their priest to be unexceptionable, yet he would not be allowed to officiate. And what did the petitioners require? To have the power to take such a case before the tribunals of this country. What was the answer now about to be given to a claim so just and so reasonable? Why, that you will strenghten the hands of the ecclesiastics of that church—that you will increase their power by removing from the Statute-book those protests which are there recorded against the exercise of ecclesiastical power in spiritual matters. If supremacy were allowed in spiritual matters, the same supremacy would be exercised over every other matter, for there was not a relation of social life over which the Church of Rome did not claim a power and a control absolute and positive. If they would take away from the Statute-book the Act of Supremacy, they would take away one of the greatest safeguards of the Constitution: by doing so they would unquestionably make themselves responsible for all the consequences which would flow from such a step. He would, therefore, appeal to the House to reconsider the whole matter. He would also throw the *onus* of the responsibility on Her Majesty's Government, if they would give their support to such a Bill—a Bill which proposed to make serious alterations in the Statute-book. He would appeal to the right hon. Baronet who came down to that House to pass a measure which first shattered his party. He would ask, was he prepared to make such alterations in the law of 1829 as would place on the same level the archbishops and bishops of the Church of Rome, and the archbishops and bishops of the Church of England? If the right hon. Baronet intended this change, among all his other changes, it would be well were the House so informed. If the right hon. Baronet said he did not mean to alter the enactment of 1829, but that he merely intended to give his support to the first part of the Bill, and which referred to the repeal of the oath of supremacy, let his views be so stated; but he would ask the House, was it right, or was it consistent in any Minister of the Crown, to take away from the Statute-books those enactments which constituted the best safeguards that could be devised against ecclesiastical power and ecclesiastical encroachments, and to support a measure which would endanger the best interests of the State? Upon those grounds he would move—"That this House resolve itself into the said Committee upon this day six months."

Sir J. GRAHAM: I wish to make an appeal to the hon. and learned Gentleman (Mr. Watson) who has charge of this Bill. That hon. Gentleman was not present when the Bill was read a second time, and when I had the honour of supporting the principle of the measure. I am decidedly favourable to the removal from the Statute-book of pains and penalties affecting our Roman Catholic fellow subjects on account of their religious opinions; and I therefore supported the second reading of the Bill without hesitation. I wish to call the attention of the hon. and learned Member for Kinsale (Mr. Watson), and of the House, to the present position of affairs with respect to a measure of this description. At the close of the last Session of Parliament, Her Majesty's Government undertook to

refer the consideration of all statutes affecting our Roman Catholic fellow subjects, and Protestant Dissenters, to the Criminal Law Commission. The subject have been carefully investigated by that Commission. A Report had been made by them; and founded on that Report the Government, on their own responsibility, have introduced a Bill in many respects going on in all fours with the Bill now before this House, and in some respects further; for the Bill in this House is confined to the relief of our Roman Catholic fellow subjects, whereas the Bill recommended by the Criminal Law Commissioners, and introduced by the Government into the House of Lords, goes further, and includes in its provisions Protestant Dissenters as well as Roman Catholics. We know by the Votes of the House of Lords that that Bill has received a second reading, after having undergone an ample discussion in that House; and many suggestions from quarters deserving the utmost attention on the part of the Government, having been offered for the amendment of that Bill, those suggestions are now under the consideration of the servants of the Crown. I have every belief that that Bill will pass the other House, and that in a very short time it will come down to this House; and, having the sanction of the other House, it will be presented to this House by the Ministers of the Crown. Under these circumstances, is it not a reasonable suggestion on my part, having supported the principle of this Bill, and being prepared to defend many of its details also —for many are identical with the measure proposed by the Government—when I ask the hon. and learned Member to postpone the further progress of this Bill until we have time to see and consider the other measure I have adverted to? I think that the course I suggest is most reasonable, and that it will promote the main object which the hon. and learned Gentleman has in view. I venture to offer this suggestion to the hon. and learned Member, not in any spirit of hostility to his Bill, for I am favourable to the relief of the Roman Catholics in respect to pains and penalties imposed on them by obsolete laws; but, as I stated last Session, and also in this, I cannot concur in those clauses of the hon. and learned Member's Bill which, in respect to religious orders in this country, &c., go to repeal the provisions made by the Catholic Emancipation Act of 1829. I think, after what I have stated, the House might be spared a lengthened discussion now, which I am afraid, from the spirit in which my hon. Friend (Mr. Colquhoun) has opened it, would not be remarkable either for temper or calmness. The House might be spared the necessity of embarking into a polemical debate; and I do hope, for the reasons I have stated, that the hon. and learned Member will be induced to postpone his Motion for proceeding with this Bill at present.

MR. WATSON was sorry that he could not accede to the suggestion of the right hon. Gentleman. This Bill was not a new one. He had originally given notice of it in 1843, and in 1844 it was brought into the House of Lords by Lord Beaumont. It passed the Committee of the House of Lords, where it was altered in several clauses for the purpose of making it a Bill which no bishop on the bench could object to. Last year he again introduced a Bill on the subject; but it was thrown out at the end of the Session, without any opinion being expressed by the Government, either favourable or unfavourable, with respect to it. The Bill now before the House had been introduced this Session; and there had also been introduced into the House of Lords another Bill, drawn by Sir E. Ryan, the late Chief Justice of India. His Bill being fixed to come on in the House of Commons that day, a movement took place in another place last Thursday, and a discussion was had on the Bill there. That Bill, however, was essentially different from his, and there were clauses in his Bill on which the opinion of that House must be taken.

The EARL of ARUNDEL and SURREY was not present at the last discussion on this subject, and wished, therefore, to say a few words on the present occasion. He admired the skill and talent of the hon. Member for Newcastle, but he would not enter into the discussion in that temper which had been noticed by the right hon. Baronet (Sir J. Graham) as characterizing the hon. Member's observations. Whatever might be the accusations against the Jesuits, he believed that they were the most ill-used and injured men on the face of the earth. They were actuated by motives for the good of religion and the good of mankind. There was hardly a Christian charity for which religious bodies were not organized in the Roman Catholic religion, for the purpose of exercising it to the utmost practical extent. Let them go into the hospitals, and they would see the Sisters of Charity, those angels upon earth.

Looking, also, to the operations of the Capuchins, the Franciscans, and other orders, he would say that they did not meet with, except in the Roman Catholic faith, such devotion to charity. He would leave to others more able than himself to enter into details respecting the present Bill, and would content himself with offering his thanks to its promoters.

Sir R. PEEL: I am sorry that the hon. and learned Gentleman does not see fit to accede to the reasonable and just appeal made to him by my right hon. Friend. When the Executive Government, at the express wish of the House of Commons, has undertaken to legislate on this subject, and has actually produced the result of their deliberations in the shape of a Bill, which has been read a second time in the House of Lords, touching on many of the subjects included in this Bill, it is contrary to all usage for an individual Member of Parliament to insist on proceeding with a Bill like the present in the House of Commons, before the Bill introduced by the Government comes to be discussed in this House. A course like this places the Government in an unusual situation. Various suggestions having been made for the amendment of the Bill in the House of Lords, the hon. and learned Member requires that while those Amendments are under consideration, we should in this House proceed to express our opinion on the clauses of his Bill, and thus enter into a premature discussion of the subject. In any enactment for the purpose of removing from the Statute-book obsolete Acts, which may be put in force to gratify individual pique or revenge, I cordially agree; and I gave a proof of my readiness to admit that principle by recording my vote in favour of the removal of cer tain penalties injuriously affecting our Roman Catholic fellow subjects in a former Session of Parliament. I took charge of a Bill for that purpose; but when I did so, the hon. Member for Lambeth observed, that this was partial legislation, because there were many obsolete statutes affecting Protestant Dissenters also ; and the hon. Member observed that we were going to relieve the Roman Catholics and leave the law as respected Protestant Dissenters untouched. It was suggested then, that it would be better to consider generally the law with respect to those who differ from the Church of England, and to legislate in a comprehensive spirit, providing for all classes, Roman Catholics and Protestant Dissenters. I acknowledged the justice of that principle, and a Commission was appointed to consider this subject; and the Report of the Commission having been presented, the Government introduced a Bill generally embracing the subject. That Bill has been read a second time in the House of Lords, and we are not willing that any undue delay should interpose in the way of its further progress. Under these circumstances, I would rather discuss the subject when it shall be brought forward by the Government in this House, than be now forced to enter into a premature discussion of it, and I therefore wish that the hon. and learned Member had assented to the proposal of my right hon. Friend, and had postponed his Bill on the present occasion. If he does not think fit to accede to a request so reasonable and so much in conformity with general practice, I must record my dissent to his course of proceeding by voting against the further progress of the Bill.

Lord J. RUSSELL : If the two Bills, that in the House of Lords and the one now before the House of Commons, contemplated in their general scope the same end, I think the appeal made to the hon. and learned Member would be not only reasonable but conclusive ; but it appears that the measure of the hon. and learned Gentleman may be described as consisting of two parts. One of these has reference to obsolete penalties against Roman Catholics, which might be revived for a vexatious purpose, and these the Government propose to abolish not only as regards Roman Catholics but also as regards Protestant Dissenters, and have brought a Bill into the House of Lords for that purpose. Now, if the Bill of the hon. and learned Gentleman went no further than that, I think that he would be disposed to wait for that other Bill, and see how far it effects the same object as he has in view. But there is another class of cases, with respect to which the Criminal Law Commissioners offer no opinion. The Commissioners reported only on what properly came under their consideration, and, consequently, they found out what were the ancient and obsolete statutes affecting Roman Catholics and Protestant Dissenters; and proposed a mode by which the law should be altered, and such obsolete restrictions abolished. But when they came to other penalties, which are not forgotten or obsolete, but which are living penalties, enacted in 1829, these Commissioners said, what it was in-

cumbent on them to say, that that matter was not the matter submitted to them, that it involved political considerations, and, therefore, on that part of the subject they offered no opinion. It is a question for the Government and for this House to consider whether those penalties should be in any way modified or repealed. The hon. and learned Gentleman brings in his Bill for that purpose. Whether he is right in asking the House to repeal those penalties, there is no occasion on this particular question relative to the postponement of the Bill to say; but it is quite obvious that this is different matter from that included in the Bill of the Government in the other House. Therefore I think that the Government ought to declare whether they are now, or whether they will be, when their Bill comes down from the House of Lords, disposed to consider, modify, or repeal any of these enactments of the law of 1829. If they are not prepared to do so now, but would be prepared when the Bill comes from the other House to add clauses for that purpose, then when that Bill came to be introduced into this House, would be the most convenient time for considering the subject; but if they say that they have made up their minds that the law of 1829 is to be the perpetual law of the land, in that case the hon. and learned Member would be justified in calling upon the House for its decision on the subject.

SIR J. GRAHAM admitted that the present Bill might be divided into two parts, and suggested, as it would be inconvenient to discuss now that part of the Bill which was identical with the Government measure, that the hon. and learned Gentleman should divide his Bill into two, and raise the discussion on the latter part, which repealed certain provisions of the Emancipation Act of 1829. To that repeal he was opposed; but, as the noble Lord used the term "modify," as well as "repeal," he would not, without seeing what those modifications were, pledge himself absolutely against them.

MR. WATSON did not see any particular objection to take the course suggested. The question he wished to discuss with the Government was, whether those penal enactments of the Act of 1829 which had been referred to were to remain the law for ever, however contrary they might be to the feelings of the country at large. On that question he must take the sense of the House. He hoped he might be allowed to go on at once with the contested clauses, or it would be too late in the Session.

MR. SPEAKER: If the Bill is to be divided into two parts in Committee, there must be an instruction to that effect; and this cannot be moved unless the hon. Member for Newcastle (Mr. Colquhoun) withdraw his Amendment.

MR. COLQUHOUN declined to withdraw it.

MR. O'CONNELL felt that he had been personally assailed by the hon. Member for Newcastle, whose memory was not very accurate; though he was, no doubt, not disposed to state what he knew to be untrue. That hon. Member had boasted of what he deemed the triumph of the hon. Member for Oxford over him on the subject of Galileo. Now, having spoken upon that subject without the least premeditation, he had mistaken the name of the Pope who was at the expense of publishing an account of the system of Copernicus. That was the extent of his error; but the Court of Rome was never opposed to the doctrine of the motion of the globe. The real difference between him and hon. Members opposite was, that he had asserted that Galileo, instead of being imprisoned for years, as had been repeatedly asserted, and was generally believed in England, was only in gaol for parts of three days. That statement he now repeated, and in the main point he was perfectly right, though he had been inaccurate as to the name of a Pope. However, this was a subject of little consequence; he turned to one of moment—the subject of the Jesuits. The hon. Member for Newcastle (Mr. Colquhoun) had suggested that we should imitate the example of France in religious matters. He quoted the French, and a French statesman, as an authority, and would have us follow that example. There was some novelty in recommending the example of France on matters of religion; it might not be the less desirable, though it was usually thought so. The hon. Member had referred to M. Thiers, and had called him a great statesman. He could not quite agree in that description of M. Thiers. Had he not endeavoured to stimulate the anti-Anglican feeling in France, in order to raise himself to power? Could he be a good man or a great statesman who for his own purposes condescended to minister to the bad prejudices of his fellow countrymen? The hon. Member was utterly wrong as to the Jesuits; he had before challenged the hon. Member to bring proof

of any one crime against them; and what after a long search had he produced? A consultation—not a judicial sentence or determination—in 1762, calumniating the Jesuits. But had the hon. Member acted fairly in not telling the House that all the French bishops, with an archbishop at their head, a member of one of the first families in France, protested against its promulgation, and that the acts of that Parliament showed already that spirit of infidelity which afterwards broke out in the atheistical and sanguinary excesses of the revolution? These were the patrons of the hon. Member's cause; and he wished the hon. Member joy of his new friends. Did the hon. Member forget the eulogium with which a King of France restored the Jesuits? Nothing was more familiar to the scholars of Europe than the vile spirit in which that decree of the French Parliament was framed of which the hon. Member had made so much. But, in fact, the hon. Member had shrunk from proving his allegation. The hon. Member had been singularly unfortunate in his illustrations; M. Thiers was his model of a statesman, and the Emperor of Russia his model of piety. He now repeated his challenge to the hon. Member to bring any proof against the Jesuits. They were the greatest benefactors both of literature and religion that the world ever saw, as well as an example of friendly and kindly fellowship among themselves. The hon. Member seemed to think that he had formerly assailed the Jesuits in that House; but that he utterly denied. He once had to make a distinction between Maynooth and Clongowes; but no word did he ever drop in derogation of the Jesuits. He knew their history and their services, and was proud of this opportunity of defying their enemies to produce anything against them.

Mr. FINCH wished to correct a mistake into which the hon. and learned Gentleman the Member for Cork had fallen, in saying that his hon. Friend (Mr. Colquhoun) wished them to follow the example of France in reference to religious matters. His hon. Friend had not done so, as he had merely quoted the case of France in support of a matter of fact. In reference to the Jesuits, he did not wish to make an observation that would have the effect of throwing odium upon them, as he admitted that they might often have been calumniated; but if they had, he must still bear in mind that on account of their dangerous tenets they had been expelled from almost every State in Europe, and even Pope Clement XIV. had found it necessary to issue a bull for their suppression, the language of which he would not repeat, lest it should be offensive to the feelings of hon. Members opposite.

Lord R. GROSVENOR did not rise to make any observations on the Order of Jesuits, but to notice some expressions that had fallen from the hon. and learned Gentleman near him, the Member for Cork. That hon. and learned Gentleman (Mr. O'Connell) had denied to M. Thiers the character of a statesman, and even of a good man, because he had availed himself of the anti-Anglican prejudices of his countrymen to excite feelings of hostility between this country and his own. He trusted he might, without offence, tell the hon. and learned Gentleman that he hoped the hon. and learned Gentleman would not forget the accusation he had so justly made against M. Thiers; but that the words he had used would at all times and under all circumstances be indelibly engraven on the memory of the hon. and learned Gentleman himself.

Mr. P. HOWARD begged to call the attention of the hon. Member who declared that the Jesuits had been banished out of every country in Europe, to the fact that the wisest of European monarchs, Frederick the Great, had given them a refuge in Prussia. As the preservers and restorers of literature, the merits of that Order were recognized throughout the world; and he was sure the liberal people of this country would offer no opposition to the repeal of the stringent clauses against them in the Bill of George IV.

Mr. NEWDEGATE denied that the Jesuits had any right to protection or privileges as a religious Order; they resisted ecclesiastical authority. They were a secret society, evading the provisions of the Relief Act, and entitled to no favour; nor ought the Government to rescind for them the enactments introduced by the present Ministers into that Act. Let no feelings of mistaken benevolence lead the House to part with the safeguard at present on the Statute-book.

Mr. MONCKTON MILNES observed, that before any hon. Member talked of the Jesuits as if they were here secretly, and did not avow themselves, he should remember that for a great many years the larger part of the Roman Catholic youth of this country had been intrusted to them to be educated; and no one acquainted with that youth could deny that they were honour-

able and manly, as well as learned and intelligent. The Jesuits were offensive to the French Parliament because of their learning; and the state of feeling towards them in France must be totally different from what it was here, because of the monopoly of education in a Government department there.

SIR R. PEEL remarked, that as the Amendment was not withdrawn, he must vote for the Motion of the hon. and learned Gentleman (Mr. Watson), in order that he might have an opportunity of expressing his opinions when the Bill should be divided in Committee on that part which would repeal portions of the Act of 1829; but, in giving that vote, he reserved to himself the power of dealing with this portion of the Bill as he should think best. The advisable course seemed to be, to go into Committee *pro formâ*, add some clauses, of which the hon. and learned Gentleman (Mr. Watson) had given notice, and then divide the Bill, and take the discussion on the part just alluded to on a subsequent day; when hon. Members would come with a full knowledge of the particular subject to be considered. But the original question was, "That the House resolve itself into Committee on this Bill;" and the Amendment proposed to leave out the words subsequent to "that," and insert "the House resolve itself into Committee on this day six months." Now, as the question put would be, "That the words proposed to be left out stand part of the question," the Speaker could only, if it was resolved in the affirmative, put the question, "That I do now leave the chair;" and so the instruction to the Committee to divide the Bill into two could not be moved. The difficulty would be removed if the hon. Member for Newcastle withdrew his Amendment by consent. As to opportunity for discussion, he (Sir R. Peel) should be disposed to give every facility for it; it could take place on recommitting the Bill when thus divided.

MR. LAW thought the proposal of the right hon. Baronet would lead the House into difficulties. They had a Bill before them on the responsibility of an individual Member, and not on the responsibility of the Government. Not only was it not brought forward on the responsibility of the Government, but from one-half of it the Members of Her Majesty's Government dissented. Now, they all understood that a more comprehensive measure had been introduced into another place, which would, in due course, be submitted to that House; and he thought they would be removing difficulties, instead of creating them, if they negatived the present measure, and waited till the other Bill was brought before the House.

LORD J. RUSSELL saw no difficulty in the hon. and learned Gentleman insisting upon the Motion that the Bill be sent into Committee; nor did he see any substantial difficulty in the course which the right hon. Gentleman had proposed, that in the event of the Amendment of the hon. Member for Newcastle being negatived, and the House going into Committee, the hon. and learned Member (Mr. Watson) should withdraw the first part of the Bill, including all the clauses down to those which had reference to the Statute of 1829, and retaining the last part of the Bill. That was a course which he considered highly satisfactory under the circumstances; and he therefore thought the hon. and learned Gentleman would do well to adopt the suggestion of the right hon. Gentleman.

MR. WATSON'S wish was, to take the opinion of the House on the question before them. Suppose the Amendment of the hon. Member for Newcastle was lost, and the House went into Committee, then he meant to move that the clauses to which the right hon. Gentleman referred should be struck out. Then he would propose that other clauses, of which he had given notice, should, when printed, be introduced into the Bill, and they could report progress, and go again into Committee on a future day. As to the principle of the Bill, that had already been settled on the second reading. In reference to what had fallen from the hon. Member for Newcastle, he would just remark that they tolerated Roman Catholics by law in this country; that Roman Catholics looked to the Pope as the supreme head of their church; and all he asked was, that they should not be liable to punishment for holding opinions which were tolerated by law—in short, all he asked was, that the spirit of the Act of 1829 should be carried out. As to those animals called bulls, he believed they were exceedingly innocent things; but, should they contain treason, surely the law was strong enough to put them down. There was no law in Scotland or Ireland to prevent bulls going into those countries. That was perhaps the reason why bulls were so numerous in the latter country. As to the regular clergy, he trusted the House would deliberately

and seriously discuss that part of the measure. Those persons were engaged in the duties of charity and religious teaching; and, if they were improper teachers, and violated the laws of the State, then they would be subject to punishment. All he asked was, that, like other citizens, they should be permitted to practise charity and religion so long as they did so in accordance with their duties as good citizens. Were an attempt made to enforce the law against these parties, he was sure the good sense of the country would rise against it. He hoped the House would allow the Bill to go into Committee.

Lord JOHN MANNERS said, that the hon. Member for Newcastle had stated that he did not wish to impose any penalties on the profession of religion. The supremacy of the Pope either was or was not a doctrine of the Roman Catholic religion. If it were not, then he called upon his hon. Friend to allow this Bill to pass; and if it were, then he called upon him to go with them and enforce the penalties. The fact was, those who professed to be the most sincere friends of civil and religious liberty, very often turned out to be the most bitter of its foes.

Mr. ESTCOURT would only detain the House a few minutes. The hon. Member who had charge of the Bill had stated, that he intended to expunge all the clauses down to that which related to the Statute of George IV. He thought there was an improper secrecy observed with regard to the Bill; for when he had, on a previous occasion, made some observations with respect to this particular Bill, they were not received with much favour; but a different opinion now appeared to prevail. This only he would say, that if the clauses of the Act of 1829 were repealed, it would be a violation of the contract which was entered into in 1829. The Bill was, in fact, a Bill for an Amendment of the Act of 1829; and if it had been introduced with that avowed object, his right hon. Friend below him (Sir R. Peel) would have met it with his unquestionable opposition. He would suggest that the hon. Member (Mr. Watson) should avail himself of the proposition of the Secretary of State for the Home Department. By doing so, that hon. Member would undoubtedly lose an advantage which he had obtained, unfairly obtained; but he did not doubt, that from the respectability of that Gentleman, he would readily give it up, and not shuffle a measure like this through the House.

Mr. B. ESCOTT said, it seemed to be thought that an unfair advantage had been taken on the second reading of the measure; but this assertion was wholly without foundation. He considered it quite useless for the House to discuss now the principle of the Bill, which had been already settled on the second reading. A full opportunity would be given on the third reading for the most ample discussion of the whole question.

Mr. COLQUHOUN understood the proposal of the hon. and learned Gentleman, as recommended by the right hon. Baronet, to be to leave out in Committee all the first part of the Bill on which there was an agreement between them, and to retain that part, relating to the Act of 1829, on which they differed. Was it, then, to be understood that the right hon. Baronet, and those who agreed with him, were ready to vote for the Bill as thus altered?

Mr. SPOONER rose amidst cries of "Divide," and expressed his disapproval of the Bill, and contended that it was not competent for the House in that stage to make the proposed division of the Bill. He told the right hon. Baronet (Sir R. Peel) that in giving his assent to the measure, he would be violating the pledge he had given at the passing of the Bill of 1829.

Sir R. PEEL must say he had never heard a greater perversion of his meaning. He really could not envy Gentlemen who had such suspicions respecting compacts he had entered into. He might take that opportunity, however, of stating that he could not concur in any proposition tending to the repeal of the Act of 1829. Was the hon. Gentleman aware how the case stood? If the hon. and learned Gentleman had moved to omit the first part of the Bill, the hon. Member (Mr. Spooner) must have agreed with him. What, then, would have remained but a Bill to repeal some of the provisions of the Act of 1829? Now, he was not prepared to give any opinion in favour of that proposal, as he had already stated; nor did his suggestion, that the hon. and learned Gentleman should divide the Bill, lead to any such inference; all he wished was, that the House might know clearly what they had to deal with, so that the opinion of the House might be fairly taken on the latter Bill.

The House divided on the Question, that the words proposed to be left out stand part of the Question:—Ayes 110; Noes 67: Majority 43.

List of the Ayes.

A'Court, Capt.
Archbold, R.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Baillie, Col.
Baring, H. B.
Baring, rt. hon. F. T.
Baring, rt. hon. W. B.
Barron, Sir H. W.
Berkeley, hon. C.
Bernal, R.
Blake, M. J.
Boldero, H. G.
Bowes, J.
Bowles, Adm.
Bowring, Dr.
Brotherton, J.
Browne, hon. W.
Buller, C.
Busfeild, W.
Butler, P. S.
Cardwell, E.
Carnegie, hon. Capt.
Christie, W. D.
Collett, J.
Coote, Sir C. H.
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Cripps, W.
Denison, J. E.
Dennistoun, J.
Duncan, Visct.
Duncan, G.
Dundas, D.
Escott, B.
Esmonde, Sir T.
Ewart, W.
Fitzroy, hon. H.
Forster, M.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Granger, T. C.
Greene, T.
Grey, rt.hon. Sir G.
Grosvenor, Lord R.
Hall, Sir B.
Harcourt, G. G.
Hatton, Capt. V.
Herbert, rt. hon. S.
Hindley, C.
Horsman, E.
Howard, hon. C. W. G.
Howard, P. H.
Hughes, W. B.
James, Sir W. C.
Johnson, Gen.
Kelly, Sir F.
Lambton, H.
Lascelles, hon. W. S.
Layard, Capt.
Leader, J. T.
Lincoln, Earl of
Loch, J.
Macaulay, rt. hon. T. B.
Macnamara, Major
M'Carthy, A.
M'Geachy, F. A.
Mahon, Visct.
Maitland, T.
Marsland, H.
Martin, J.
Milnes, R. M.
Mitchell, T. A.
Morpeth, Visct.
Neville, R.
O'Connell, D.
O'Conor Don
Ord, W.
Pakington, J. S.
Parker, J.
Pechell, Capt.
Peel, rt. hon. Sir R.
Peel, J.
Philips, G. R.
Plumridge, Capt.
Powell, C.
Pusey, P.
Rawdon, Col.
Roebuck, J. A.
Russell, Lord J.
Sheridan, R. B.
Smith, J. A.
Smith, rt. hon. R. V.
Somerset, Lord G.
Somerville, Sir W. M.
Strutt, E.
Sutton, hon. H. M.
Thesiger, Sir F.
Thornely, T.
Trelawny, J. S.
Wakley, T.
Walker, R.
Wall, C. B.
Williams, W.
Wodehouse, E.
Wood, C.
Wyse, T.
Young, J.

TELLERS.

Watson, W. H.
Manners, Lord J.

List of the Noes.

Adderley, C. B.
Allix, J. P.
Arbuthnott, hon. H.
Arkwright, G.
Astell, W.
Bailey, J. jun.
Baillie, W.
Baskerville, T. B. M.
Bateson, T.
Beckett, W.
Bell, M.
Bennett, P.
Beresford, Major
Blackburne, J. I.
Broadley, H.
Broadwood, H.
Brooke, Sir A. B.
Buller, Sir J. Y.
Christopher, R. A.
Churchill, Lord A. S.
Chute, W. L. W.
Connolly, Col.
Douglas, Sir H.
Douglas, J. D. S.
Estcourt, T. G. B.
Finch, G.
Forbes, W.
Fox, S. L.
Fuller, A. E.
Grimsditch, T.
Hamilton, J. H.
Hamilton, G. A.
Hamilton, Lord C.
Hildyard, T. B. T.
Hope, Sir J.
Houldsworth, T.
Hussey, T.
Jones, Capt.
Kemble, H.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Lindsay, hon. Capt.
Lockhart, W.
Lowther, hon. Col.
Lygon, hon. Gen.
Mackenzie, T.
Marton, G.
Maunsell, T. P.
Maxwell, hon. J. P.
Meynell, Capt.
Newdegate, C. N.
Palmer, G.
Plumptre, J. P.
Rashleigh, W.
Round, C. G.
Round, J.
Sheppard, T.
Shirley, E. J.
Sibthorp, Col.
Stuart, J.
Tollemache, J.
Tyrell, Sir J. T.
Verner, Col.
Waddington, H. S.
Wyndham, Col. C.
Yorke, hon. E. T.

TELLERS.

Colquhoun, J.
Spooner, R.

House in Committee.

Mr. WATSON said, he should propose to divide the Bill, and to strike out the first three clauses; then that the Chairman report progress; and that the Bill be recommitted on Wednesday fortnight.

Motion agreed to.

On the Question, that the 1st Clause of the second part stand part of the Bill,

Colonel SIBTHORP was very suspicious of the conduct of the right hon. Baronet, which he thought it the duty of those hon. Members who were sincerely attached to the Constitution to watch with a close and jealous eye. He had entertained suspicions of the right hon. Baronet ever since 1829. He thought it very questionable whether or no the right hon. Baronet was a Protestant or a Roman Catholic. He should be disposed to think the right hon. Baronet was a Roman Catholic. He held a petition in his hand from the inhabitants of Lincoln city, against the Bill now under consideration; and the reason it was not more numerously signed was, because they felt disgusted at the line of conduct pursued by Sir R. Peel on the question of the Maynooth Grant; for when no less than 10,253 petitions, containing 1,288,742 signatures, were presented against that grant, the right hon. Baronet said, the greater was the number of petitions against the grant, the more resolved he was to interfere. He disclaimed any uncharitable or unkind feeling towards his Roman Catholic fellow subjects; but felt it his duty to oppose the Minister of a Protestant Queen, when he introduced measures which he considered would be subversive of the principles upon which the Church and Constitution of this country

had long been defended. He felt entirely with his hon. Friend below him (Mr. Spooner) that great caution should be exercised in acceding to any such concessions, and advised his hon. Friend to beware of the spring-guns and man-traps with which the Treasury benches abounded.

MR. LAW moved as an Amendment, that the clause be omitted. His object was to get rid of the Bill altogether. He apprehended his Amendment was a perfectly legitimate one.

LORD J. RUSSELL must say, that he did not think the hon. and learned Gentleman (the Recorder) acted fairly to his hon. and learned Friend (Mr. Watson). The mode of proceeding suggested by his hon. and learned Friend would not prevent the fullest discussion hereafter. It was not at all usual to oppose a Motion such as that proposed. He must say that he did not think the course taken by the hon. and learned Recorder handsome or courteous to his hon. and learned Friend, or just to the House.

MR. LAW, in reply to the noble Lord, wished again to say that his object was to get rid of the Bill altogether. He wished to be understood as being no party to the arrangement proposed by the right hon. Baronet at the head of the Government. He must dissent from any such arrangement. It was proposed that his hon. and learned Friend should have an opportunity of dividing his Bill, having it reprinted, and bringing it forward in another shape. He was opposed to that for these reasons. The Bill was not brought forward on the responsibility of the Government. There was a measure of similar character on its way to this House, which was sanctioned by the Government; and besides he was at a loss to divine what might be the conduct of Government as regarded either Bill, which would work on with a majority obtained from the other side of the House. He had no confidence whatever in the mode in which this measure was dealt with, nor any trust in the majority which would carry it. He protested against this line of proceeding. He had the greatest personal regard for the hon. and learned Mover, and in any matter of a merely personal character, would be most happy to oblige him; but he must not forget that he had a public duty to perform, and must resist to the uttermost any measure which had a pernicious tendency, even though such measure might be encouraged by the head of the Government. He would neither assist in nor be any party to those arrangements between the right hon. Baronet at the head of the Government and the other side of the House—he would acknowledge no such compacts. He must again say, that he had no confidence in any arrangements made by Gentlemen on his side of the House with hon. Gentlemen opposite.

SIR R. PEEL: I hope the hon. and learned Gentleman in the performance of his official duties manifests more temperance and acuteness than he has done in the House of Commons to-day. There really must be gross misapprehension of the course which the hon. and learned Gentleman opposite intends to pursue; for the hon. and learned Member can gain no advantage whatever by that course. He is merely asking us to do that which it would be most unjust and most unusual to refuse. He merely seeks to render this Bill more intelligible, by having it reprinted in a divided form. The Bill has been already divided; a portion of it has been withdrawn by the consent of the House; all the first part of the Bill is gone—it is now, I repeat, actually divided. This is the second Bill. I must say, that the opposition to the Motion is most unusual, and I must say, that it is carrying political hostility too far to assert, that because the Government does not oppose a request from which, as far as my knowledge goes, the House has never dissented, that therefore they are to be charged with having entered into a compact with hon. Gentlemen opposite.

MR. LAW: After what has fallen from the right hon. Baronet, I hope I may be permitted to say, that I think I have a right to complain of the manner in which he has adverted to the discharge of my official duties in another place. I do not think there is any reason or justice in the suggestion, that these duties are not discharged with the temper and attention due to them. It is not that I complain of the opinions the right hon. Baronet may personally entertain, but when he is talking of courtesy, he has no right to make such uncourteous and uncalled-for observations. If I had understood that the effect of my assenting to the Motion would give no advantage to the other side, and had no tendency to promote the Bill, I should not have opposed it; but I thought otherwise.

MR. NEWDEGATE thought it would have been more satisfactory if they had had the Government measure before the House previous to the consideration of the one now before them. He was sure, how-

ever, that his hon. and learned Friend (Mr. Law) would not throw unnecessary opposition in the way of the hon. and learned Member (Mr. Watson) who had introduced the Bill; but he (Mr. Newdegate) defied the right hon. Baronet's power of explanation to show that the Government were not virtually given precedence to this over the other measure, for which they were themselves responsible. He could have wished that the right hon. Baronet, in opposing his hon. and learned Friend, had not displayed so much warmth of temper. The right hon. Baronet, it appeared, was for division in everything. He had divided his own party; it was also reported that it was his intention to divide the Bill which was about to reach them from another place; and he had now advised the hon. and learned Member to divide the Bill before them. With respect to the proposition to allow the Bill to pass through Committee *pro formâ*, and allowing it to be printed in its amended form, he thought that the House should agree to it, in order that they might really see what it was; for it was impossible to know that at present, and it was equally impossible to know the intentions of the right hon. Baronet.

Sir R. PEEL: I must say that those who require an unruffled temper from me, should set me an example by avoiding imputations which really rest upon no other foundation than a total ignorance of what are the forms of the House. The hon. Gentleman (Mr. Newdegate) gets up and coolly accuses me of giving precedence to this over other important measures before this House. [Mr. Newdegate: Not before this House.] I give no precedence whatever to the hon. Gentleman (Mr. Watson). I don't give him a Government day to bring it forward; it will not take precedence of any measure; and the hon. Member will be in no better situation in regard to its discussion than he would have been if he had brought it forward in its original shape. He will have to take some Wednesday for discussion, and so far from any advantage being gained to the measure by the proposal now before the House, it will be the reverse. The hon. Gentleman also says that I have consented to the division of this Bill. I have no more consented to it than any other Member of the House. There was no instruction to the Committee to divide the Bill. The House went into Committee, and a Motion was made that the whole of the first part of the Bill should be left out; and if the hon. Gentleman had any objection to that proposition he ought to have taken the sense of the House upon it. The hon. and learned Gentleman (Mr. Watson) is in exactly the same position as he ever was. I assure the House that I have had no compact with the hon. and learned Gentleman. I do not believe I ever had a word of conversation with him in my life. The hon. and learned Gentleman (Mr. Law) has said that he will withdraw his Motion, if I will give him my pledge to oppose the Bill. I will give no such pledge. The hon. and learned Member has no right to attach any such condition to his Motion. I have no hesitation in saying that I cannot consent to repeal any of the provisions of the Bill of 1829, which the country regarded as a settlement; but I will not give any pledge that on the hon. and learned Member consenting to withdraw his opposition to this measure, I shall undertake, whatever may be the provisions of the Bill, which I have not seen, to oppose it in its future stages. I can say nothing more than that I cannot agree to any substantial alteration of the Act of 1829. I again repeat, that the hon. and learned Member (Mr. Watson) will gain no advantage by his proposal which he has not a perfect right to get; but, if there be any doubt about it, let the hon. and learned Gentleman (Mr. Law) persevere in his Motion, and withhold the concession which is usually made to hon. Members for the purpose of enabling the House to understand their measures before rejecting them.

Mr. NEWDEGATE said, that the right hon. Baronet had quite misunderstood him. He had never accused him of giving precedence to this Bill over any other measure before the House; his remarks applied entirely to the other measure, which common report informed them was likely to reach them from another place.

Mr. LAW withdrew his Motion.

The House resumed. Bill reported, and Report to be taken into consideration that day fortnight.

ADMINISTRATION OF CRIMINAL JUSTICE BILL.

The House went into Committee upon the Administration Bill.

A few verbal Amendments were moved and agreed to on clauses 1 and 2.

Mr. LAW moved the addition of a Clause to give to Criminal Courts power to

award hard labour and the costs of the prosecution in all cases.

Sir J. GRAHAM said, that the clause proposed by his hon. Friend was a very important one. He looked with very great jealousy to any extension of the powers to the Criminal Courts in the manner proposed by the clause. It required great consideration before they came to any decision on so important a change as the clause contemplated. He could not say he was quite prepared to oppose the clause until he had heard the reasons of his hon. Friend.

Mr. LAW explained, that the clause was merely an extension of the powers contained in sec. 63, chap. 74, of the Act of Geo. IV. He knew of several instances of aggravated assault, which had been very inadequately punished, in consequence of the provisions contained in the 7th Geo. IV. not meeting the case. By the present law, in case of conspiracy and of assault, the parties who brought the criminal to justice were not allowed the expenses of the prosecution. That had been the subject of animadversion day after day for years, and it had not yet been remedied. The object of his clause was, to give the Criminal Courts the power of awarding reasonable costs in all cases prosecuted or tried before them.

Sir J. GRAHAM should feel greatly obliged if his hon. Friend would withdraw his clause for the present, and propose it again on the bringing up of the Report. This would give him time to consider the matter, and as it was a very important subject, the clause should not at this moment be pressed.

Clause withdrawn.

The House resumed. Report to be brought up this day week.

House adjourned at ten minutes to Five o'clock.

HOUSE OF LORDS,

Thursday, May 7, 1846.

Minutes.] Public Bills.—1ª. Friendly Societies; Polling Places (Ireland).

2ª. Western Australia.

Reported. Burghs (Scotland).

3ª. and passed. Railway, &c. Deposits; Deodands Abolition; Death by Accidents Compensation.

Petitions Presented. By Lord Redesdale, from Clergy and Dissenting Ministers of Wigan, for the Adoption of a Ten Hours' Measure, and for the Better Regulation of Factories.—By Lord Campbell, from Edinburgh and Paisley, praying that a Bill may be passed for compensating Proprietors of Lands for the Purchase of Sites for Churches.—By the Earl of Clarendon, and several other noble Lords, from several places, against the Charitable Trusts Bill.—From the Cuckfield and Chesterton Unions, for the Adoption of a Measure making the Landlords of Cottages where the Rents are under £6, liable to the Poor Rates.—From the Burgh and Regality of Canongate, in favour of the Burghs (Scotland) Bill.—From the High Constables of the City and Liberty of Westminster, and the several Divisions of the Hundred of Ossulston, praying to be heard by Counsel against the High Constables Bill.—From Burnley and Habergham Eaves, for the Better Observance of, and to prevent the Sale of Intoxicating Liquors on, the Sabbath.—From the Mayor, Aldermen, and others, of Doncaster, for the Adoption of a Measure for the Employment and Reformation of Discharged Prisoners.—From Guardians of the Banbury Union, complaining of the frequent Introduction of Small Pox into that Union, and praying for a more complete and compulsory System of Vaccination.

THE CORN LAWS.

Lord ASHBURTON said, that he did not in any way wish to anticipate the important discussion on this subject which would shortly come before their Lordships. They were all aware of what had passed elsewhere. That information they gained from the Votes of the other House. He was now only anxious that when the Corn Bill did come before their Lordships there should be no delay, as far as he was concerned, occasioned by the calling for any Papers which he might consider requisite for the consideration of this most important subject. He did not wish to delay the discussion of the question, and therefore he would now move for two or three Papers which he thought their Lordships should have before them, before they proceeded to the discussion of the Government measure. Their Lordships were probably aware, that that measure would have the important consequence of letting out of bond something like a million and a half of quarters of wheat. Now, that quantity was something like four or five times more than ever had been in bond during the last six or seven years. If the measure were passed at all, their Lordships ought to pass it with their eyes open, and with a full knowledge of all the consequences which it was likely have on the whole of the agricultural population of this country—a subject which, in Parliament as well as out of Parliament, was now treated with too much levity and indifference. He, with this view, therefore, should wish to have a Return, made up to the latest period, of the quantity of wheat and wheat-flour, of oats, oatmeal, and barley, under bond in the United Kingdom. To this there could be no objection, and it was a return which could be made with great distinctness. Next, he should wish to have a return of the quantity of the same imported since the commencement of the pre-

sent year, and of the quantities entered for home consumption; and of the rate of duty paid thereon. He would also wish for a return of the amount payable for every 100*l.* of tithe assessed under the Tithe Commutation Act for each year since the passing of that Act down to 1845 inclusive.

Lord BROUGHAM agreed in the necessity of having the important documents moved for by his noble Friend before them. His opinion decidedly was that the letting of that one and a half million of quarters out of bond would produce a fall in the price of the commodity; but he should endeavour at the proper time to satisfy their Lordships that that depression would be only temporary. After the delay which the Corn Bill had already experienced, he trusted that it would now be expedited as much as possible. He hoped, also, that the Land Burdens Committee would endeavour to lay their important Report upon the Table of the House as early as possible.

Earl FITZWILLIAM recommended that the statement should extend back to the year 1828, when the last Corn Bill but one was passed. The information might be on the Table in another form; but it was desirable that the same Paper should contain the whole. The quantity of corn in bond at present was unusually great; but it was to be accounted for by the fact that the present Corn Bill had been virtually announced, and before the country for the last six months; and that being the case, of course no merchant in his senses would hurry to take his corn out of bond.

The Duke of RICHMOND said, that there never was more corn upon the farmers' hands than at this moment. If the corn now in bond had been let in to consumption, he believed that the price of corn would have been much lower. The delay, however, in passing the Corn Bill had prevented that great reduction in price; and so far the farmer had been a gainer by it. They talked of that question as if it were settled. He (the Duke of Richmond) did not believe that it was settled, for he could not imagine that so many noble Lords on the Ministerial side of the House had changed their opinions; and he thought that there were still some fixed duty advocates on the opposition, who would not be induced by a party feeling to vote against their consciences.

Earl GREY was of opinion, and he spoke from some practical knowledge of the subject, that the farmers had grievously suffered from the delay in passing the Corn Bill. Noble Lords seemed to think that the home growers were to be perfectly deluged with wheat when they removed the dam and let in the grain now in bond, which during the last six months should have been flowing in to the market in a regular current. He did not think that the farmer would suffer in consequence. The farmer had suffered considerably, and in some parts of the country the price of wheat had been lower, in consequence, as he believed, of foreign wheat not having been admitted. It was notorious that a great quantity of the last harvest's wheat was so bad from the wet and other causes, that it was utterly impossible to grind it without old and foreign wheat. He knew that in the north of England that was almost universally the case with the wheat; and he was convinced that in that part of the country, and he believed that throughout the kingdom, it would have been an immense advantage to the farmers if the ports had been opened in November or December last, so that they might have had foreign wheat to mix with their own inferior grain.

Lord BEAUMONT said, he should probably be able to lay the Report of the Land Burthens Committee upon the Table of the House early next week; and he should hope for great and important measures resulting from that Report.

Motion agreed to, Returns ordered.

VENTILATING THE HOUSES OF PARLIAMENT.

The Marquess of CLANRICARDE was understood to inquire whether Mr. Gurney was to be permitted to give evidence and to submit estimates for ventilating the New Houses to the Committee now sitting.

Viscount CANNING said, that some years ago a Committee of both Houses had recommended the adoption of Dr. Reid's system of ventilation, and they had voted sums of money to carry it into effect. Mr. Gurney had made an application to him (Viscount Canning) upon the subject; but he conceived that in a matter of this nature, on which a Committee of the House had expressed a decided opinion, it did not become him to depart from the usual course. If, however, their Lordships thought fit, and the Committee now sitting reported that an experiment should

be made of Mr. Gurney's system, there was no objection on the part of Her Majesty's Government to give it a fair trial.

LORD CAMPBELL said, the cause of complaint seemed to be getting worse and worse. When he came down to the House in a morning, the air was not respirable; it was really quite stifling. He was therefore most anxious that Mr. Gurney should have a trial, for it was impossible he could make the air worse than it was.

WESTERN AUSTRALIA BILL.

LORD LYTTELTON moved the Second Reading of the Bill for the better Government of the Colony of Western Australia, the principal provisions in which his Lordship briefly explained.

EARL GREY was glad to find that some amendments were about to be made in the government of this Colony, but he could not approve of all the provisions of the Bill. His opinion was, that the ancient system, by which Colonies were allowed to manage their own affairs, was infinitely safer, wiser, and better than that which of late years had been pursued. The condition of the whole government of Australia required immediate redress, and to be put in a condition for permanent improvement. Unless something was done with this view, we could not expect the Colony to make that progress which, from its natural advantages, it might be expected to exhibit. With these opinions, if he entertained the least hope of success, he would give his opposition to the Bill in its present shape; but as he had no anticipation of any great support, he would not give their Lordships any trouble upon the subject.

LORD LYTTELTON thought it would be most unfair to throw the burden incident to self-government upon the Colony, without knowing the sentiments of the olonists.

The DUKE of RICHMOND complained that nothing had been done by Her Majesty's Government as regarded convicts. If some means were not taken for their improvement, he should, as an independent Peer of Parliament, feel it his duty to move for a Select Committee of Inquiry; for in no country calling itself Christian was there a class in a worse state of depravity than were the unfortunate men who had been transported.

LORD LYTTELTON assured the noble Duke that Her Majesty's Government had given to this subject the consideration which on a former occasion he promised should be given to it; and he had strong hopes, almost amounting to a certainty, of being able, in the course of the Session, to introduce some measure upon the subject.

Bill read 2ª.

OPPOSED RAILWAY BILLS.

LORD REDESDALE said, it was important both to their Lordships and the public, that there should be some certainty as to the time after which the House would not name Select Committees for the consideration of opposed Private Bills. It very often happened that as the Session advanced, doubts arose in the minds of the promoters of Bills whether they would have time to carry their measure through that House; and, therefore, it was desirable to give notice of the last day upon which Committees would be appointed to decide on Bills which were opposed. The day he proposed to name was ten weeks from Monday next; because, beyond that period there would be great difficulty in obtaining Committees to sit on Bills so as to give them due consideration. He begged to move—

"That the Committee appointed by the House to name the Select Committees for the Consideration of Opposed Private Bills shall not name any such Committee on any Opposed Railway Bill after Monday, the 20th of July."

The EARL of WICKLOW thought the proposed interference most unjust. There never had been such an accumulation of business as during the present Session, and many of these Bills had been suspended, in order to give precedence to Bills introduced by Government. The Bill introduced by the noble Lord the President of the Board of Trade (the Earl of Dalhousie) suspended all Railway Bills; and he considered the practical effect of that measure, together with the Resolution now proposed, would be to deprive the country of those projected railways which had been brought before Parliament at great expense. Why should a particular period be fixed when it was not known whether Parliament would sit so long? The Resolution, under any circumstances, would have the effect of throwing out a vast number of Bills, and in his opinion it would be unjust both towards the promoters and the public to adopt it.

LORD REDESDALE, in reply, stated that so far from private business in that House being in arrear this Session, he had never known it so advanced. A large

body of Railway Bills had been commenced in that House, which was a novel proceeding; many of them were now in progress through the House of Commons, and a considerable number had come up from the House of Commons, some of which were now before their Lordships' Committees. Last Session their Lordships had no Bills before them until a late period, yet they got through a larger amount of business than he had ever known before, and he feared that more railways were then sanctioned than would be advantageous. The present Motion was not made for the sake of the House, but for the sake of the parties themselves who had Railway Bills to promote; for they would know what chance they had of getting through that House when they knew the exact time up to which opposed Bills might go before Committee.

Resolution agreed to.

DEODANDS ABOLITION, AND DEATH BY ACCIDENTS COMPENSATION BILLS.

LORD CAMPBELL moved the Third Reading of these two Bills. The noble and learned Lord said he was sorry to announce that a disastrous rumour had reached his ears, that when these Bills went elsewhere, although they had both been passed unanimously by their Lordships, they were likely to meet with the same fate they experienced last Session. He would only say that the principle of these Bills was approved of by the Lord Chancellor, the Lord Chief Justice, by all the law Lords, and by the Judges of England. All the law Lords in that House had most deliberately considered them, and he supposed they were quite competent to form a sound judgment. Notwithstanding all this, he was told they were immediately to be thrown out of the other House, that deodands were still to be continued, and that if deaths took place by gross negligence, there was to be no compensation. He could only invite the attention of Her Majesty's Government to the subject, and express his earnest desire that the noble Duke opposite (the Duke of Wellington) would draw the attention of Her Majesty's Ministers in the other House to these Bills, hoping it would be borne in mind that this was the only civilized country in the world where, under such circumstances, the law afforded no relief.

The DUKE of WELLINGTON said, his noble and learned Friend had spoken to him some time ago on the subject of these Bills, and for himself he fully concurred in the measures which he proposed.

The LORD CHANCELLOR: My noble and learned Friend should not be quite so credulous in believing the rumours which have reached him. Perhaps they may have been circulated only for the purpose of teazing my noble and learned Friend.

LORD DENMAN said, the Deodands Bill proposed to abolish a remnant of a barbarous and absurd law, and he therefore hoped the Bill would pass: and as deodands were the only security now against death being caused by reckless conduct, the abolition was a strong argument in favour of the other Bill. He thought his noble and learned Friend was far too sensitive; for he believed that when these measures came to be well considered, the other House would be convinced both of their merits and their necessity: if they passed, infinitely more care would be taken for the preservation of the lives of Her Majesty's subjects than those who were intrusted with them at present thought necessary.

LORD CAMPBELL: There is one objection to these Bills which I have heard. It has been said, "Suppose the Lord Chancellor were to meet with an untimely end by a railway accident, which we all pray may never occur, how would the Jury estimate the loss to his family? What would be considered as the value of the tenure of his office? [The LORD CHANCELLOR: Hear, hear!] What would be considered a fair compensation to be awarded to his family for their loss?" I have that regard for my noble and learned Friend that I hope his valuable life will never be exposed to any such peril. A railway company would be extremely sorry if my noble Friend were to have a limb broken through any negligence of theirs, because then he might bring an action and recover; but they would not care one farthing if his invaluable life were at once extinguished, because they would then say, "the law affords no remedy against us whatever." For the sake, therefore, of my noble and learned Friend, though I hope he will never require the security, I do trust these Bills will meet with that support in another place which they have so unanimously received in this House.

The LORD CHANCELLOR: There is a much more difficult case to estimate for compensation than the one which my noble and learned Friend has had the kindness to suggest. If my noble and learned Friend

should unfortunately fall a sacrifice, how would any jury be able to estimate the value of his hopes?

Bills read 3ª. and passed.

BURGHS (SCOTLAND) BILL.

House in Committee on this Bill.

The DUKE of RICHMOND moved the insertion of a clause to the effect that none of the provisions of this Act should apply to the city of Glasgow, or to any guild, craft, or corporation established therein.

The DUKE of BUCCLEUCH opposed the clause. He said, that the trade corporations of Glasgow were very wealthy bodies, possessed of considerable funds, and he could see no reason why they should not be placed upon the same footing as the other corporations of Scotland. As an instance of the sums charged by them for admission into their guilds, he mentioned that the guild of bakers required a fee of 100*l*., and the number admitted were consequently very limited. These corporations would not be abolished by the Bill, but their exclusive powers would be put an end to. While the Bill was in the other House of Parliament, no attempt had been made by the representatives of Glasgow, or any other hon. Members, to introduce a clause similar to that brought forward by the noble Duke.

The DUKE of RICHMOND said, though the Bill did not abolish the corporations, it took away their revenues. He could only account for the fact alluded to by the noble Duke by the circumstance that no very strong Liberal would vote against Her Majesty's Government at present, or else that the representatives of Glasgow might be anxious to have these corporations destroyed. This Bill, introduced in 1846, had been founded on a Report made in 1833, and in that Report the Commissioners stated, in reference to the corporations of Glasgow, that on the whole their funds were fairly and properly applied, and that there was no instance of actual embezzlement laid before them.

Clause negatived; Bill passed through Committee, and reported.

House adjourned.

HOUSE OF COMMONS,

Thursday, May 7, 1846.

MINUTES.] PUBLIC BILLS.—*Reported.* Salmon Fisheries; Election Notices (Ireland).

PETITIONS PRESENTED. By several hon. Members, from various places, for the Better Observance of the Sabbath.—By Sir William Clay, from Secular Clergymen and Laymen of the Parish of All Saints, Poplar, in the Borough of the Tower Hamlets, in favour of the Roman Catholic Relief Bill.—By Sir Stephen Glynne, from Clergy of the Deanery of Dursley, and Clergy, Churchwardens, and Parishioners of Mold, for preventing the Union of the Sees of St. Asaph and Bangor, and providing for the Immediate Appointment of a Bishop to the See of Manchester.—By Mr. Forbes, from Presbytery of Dumbarton, and Ministers and Elders of the Synod of Perth and Stirling, against the Abolition of Religious Tests in the Universities of Scotland.—By Lord Worsley, from Guardians of the Louth Union, for rating Owners of Small Tenements to the Poor Rates in lieu of Occupiers.—By Sir George Grey, from Chairman and Deputy Chairman of the Committee for promoting the Establishment of Baths and Washhouses for the Labouring Classes, for the Adoption of Measures for promoting the Establishment of Baths and Washhouses.—By Mr. Morris, from Mayor, Aldermen, and Burgesses, and Inhabitants of the County of the Borough of Carmarthen, for Extension of Education in Wales.—By Mr. Brotherton, and Mr. S. Crawford, from Millowners, Spinners, and Manufacturers of Heywood and Rochdale, for Limiting the Hours of Labour in Factories to Ten in the Day for Five Days in the Week, and Eight Hours on the Saturday.—By Mr. Evans, from Handloom Weavers of Tideswell, for the Adoption of Measures for the Regulation of their Trade.—By Colonel Wood, from Magistrates of Brecon, for Alteration of Highways Bill.

CHANNEL ISLANDS.

MR. ROEBUCK begged to ask a question of the right hon. Baronet the Secretary of State for the Home Department, with regard to a subject that had before engrossed the attention of the House—the laws and the administration of justice in the Channel Islands. The right hon. Baronet had announced the intention of the Government to issue a commission to inquire into those matters, and he therefore wished to know if such commission had been issued, and if so, whether the right hon. Gentleman would have any objection to lay the Report upon the Table of the House.

SIR JAMES GRAHAM replied that he had in the course of his duty advised Her Majesty to issue such a commission. Two Commissioners had been accordingly appointed, and he should have no objection whatsoever to lay upon the Table of the House the letters received from them.

DR. BOWRING begged to know if the right hon. Baronet would extend the field of the Commissioners so far as to include the Isle of Man?

SIR JAMES GRAHAM was not prepared to include the Isle of Man.

FEES IN COURTS OF LAW AND EQUITY.

MR. WATSON rose to propose the Motion of which he had given notice—

"That a Select Committee be appointed to inquire into the nature and extent of the taxation of Suitors by the collection of fees in the Courts of Law and Equity, and the application of such fees, and the compensations paid to retired officers of

those Courts, and into the propriety of the continuance thereof; and particularly to inquire into the orders for compensation made by the Lord Chancellor to the persons filling the offices of Clerk of the Enrolments, Controllers of Hanaper, Riding Clerk, Six Clerks, Sworn Clerks, Waiting Clerks, and others, under the Act 5 and 6 Victoria, c. 103; and to inquire into the nature, duties, and emoluments of those officers before the passing of that Act, and their right to compensation during life, and for seven years after the death of such person."

The taxation of suitors in courts of justice was a matter of the greatest importance to the public at large; and although the subject was a dull one, he hoped the House would bear with him while he brought under their notice the general question of fees, and also the enormous amount of compensation which had been given to certain officers of the courts on the abolition of their offices. The first part of his Motion related to the taxation of suitors in the courts of law and equity, embracing the criminal courts and courts of quarter sessions throughout the country, and the application of the fees so collected. The first introduction of the system of taxing suitors by fees in courts of justice was of no great antiquity, tracing only a few centuries back. Offices in courts were granted in fee: hence sprung the term "fee" in legal taxation. At present, contrary to all principles of justice, no suitor could take a single step, either in the Court of Chancery or any other court, without undergoing very heavy taxation by way of fees. The attention of the Legislature had been attracted to the subject some years since, when the stamps on legal proceedings were removed; and Mr. Canning had expressed his opinion on that occasion that nothing could be more unjust than such a system. Measures had been adopted for the abolition of payment of officers by these fees. The House would be surprised to hear that there were between 300 and 400 persons who collected fees in the superior courts of law and equity, either paid over by them to the court, or payable to the officers themselves. In fact, not a single step could be taken in a suit either at law or in equity without the payment of certain fees. And there arose another evil of the matter. There was no check or control whatsoever upon the officers who received those fees in courts of justice. In some cases, indeed, there was an oath taken by the officers to discharge their office faithfully, but in others there was not even that restraint. And in no case was it requisite that they should return any detailed account to the court. Some of the officers of courts of justice were paid entirely by fees — a practice which he regarded as open to the strongest objection. The inquiry was large and most important, for in all courts, Chancery and Common Law, in the Insolvent and in the Bankruptcy Courts, fees were received to create funds to pay the officers. He would not go further into that branch of the case, as all he asked for in the first instance was the appointment of a Select Committee to inquire into the circumstances. The second branch of the question was the large amount of money collected by means of those fees. There was a great principle involved in this question, and one that demanded serious consideration—whether it was right to tax suitors at all in courts of justice? The reason adduced in support of their collection originally was, their effect in checking a spirit of litigation. In short, it had been urged that law had better not be made too cheap. He could assure the House that no such fear existed; for if all the fees of every kind in courts of justice were abolished, enough of expense in the payment of lawyers and other necessary payments, would still remain to make litigation abundantly expensive. If taxation was to be resorted to, the dishonest suitor, plaintiff or defendant, ought to be taxed, not the honest suitors who were driven to a court to assert or defend their rights. A fund had been created in the Court of Chancery called the Suitors Fund, which yielded 97,000*l.* a year in the years 1843 and 1844—a fund which ought never to have been received. That 97,000*l.* was the interest of sums accumulated in the Court of Chancery, and not claimed. It belonged of right to persons in the country, if they could be discovered; and from this fund the salaries and compensation of the officers of the court were defrayed. There was also another fund in Chancery called the Suitors Fee Fund, created by levying fees from the suitors amounting to 155,000*l.* a year. The Court of Pleas of Lancaster, it appeared by returns he had obtained, had also a fund, which yielded 3,000*l.* a year. There were funds derived from fees, which altogether amounted to between 300,000*l.* and 400,000*l.*, besides which, there were derived from the Consolidated Fund for payment of Salaries, &c., 200,000*l.*; making altogether upwards of 600,000*l.* for the maintenance of our judicial system — of which 400,000*l.* were derived from taxa-

tion of suitors, and the remainder was paid by the country at large. These sums were monstrous; and the matter was made worse by their being collected by officers over whom there was neither check nor control. Another grievance in the courts of common law was, that the Judges had the power some years back of fixing the fees; but no power of reducing them; the consequence was, that after payment of all expenses the Court of Queen's Bench and Exchequer paid to the Consolidated Fund last year nearly 30,000*l.*; actually taxing the suitors to the general burden of the country. A great objection to this tax was, that it was a poll tax, for the suitor for 1*l.* paid the same as a suitor for 100,000*l.* Again, there had been vast sums of money granted to individuals by way of compensation for deprivation of incomes derived from fees. On looking over the Finance Accounts, he found one individual holding a sinecure office in the Court of Queen's Bench, whose retired salary was 7,700*l.* Another had 5,496*l.*; another 2,089*l.*; another 1,000*l.*; and so they went on one after another. Indeed, he might go through a long list of the names of persons who received large sums as the holders of offices to which merely nominal duties were attached. He thought that this monstrous system of establishing sinecures in courts of justice could not be too strongly condemned. In the Court of Lancaster the net fees for the years 1841, 1842, and 1843, averaged about 2,000*l.* a year. There was a person in that court who held a situation, and was styled the prothonotary. He had held the situation from the year 1791 down to the present moment. He now enjoyed a salary for life, by way of compensation, of 2,700*l.* a year. That was no less a person than the present Earl of Liverpool. He would now proceed to the last branch of his Motion, viz., the enormous compensations given on the abolishment of the Six Clerks. The Act for giving compensation to officers whose fees were abolished, was passed in 1842. He brought forward a Motion similar to the present as soon afterwards as he possibly could. In the year 1844 he brought forward his Motion upon the subject, and it was negatived by a small majority of sixteen; and in 1845 he was prevented from bringing the matter forward by circumstances which would be in the recollection of his hon. and learned Friend opposite. The Statute of 5th and 6th Victoria, c. 103, known as the Six Clerks Act, abolished the offices of clerk of the enrolments, controller of the hanaper, the Six Clerks, Sworn Clerks, and Waiting Clerks in the Court of Chancery, and provided that compensation should be given to the persons filling those offices. They had received an enormous amount of compensation under that Act, and four of them at this moment enjoyed annuities to the amount of 30,000*l.* Those clerks had always been considered a nuisance — they were not of the slightest benefit. The offices were old, it was true, but the principal duty of those who held them consisted in exacting fees from the suitors; and he could not conceive on what ground the enormous compensation to which he was about to call the attention of the House had been awarded to them under the Six Clerks Act. The offices of the Six Clerks of Chancery were very ancient; they were patent offices, and had existed for 300 or 400 years. Those Six Clerks had also Side Clerks, or Sworn Clerks, who had no official duties to perform, but who merely enjoyed a monopoly of the business in the Court of Chancery. Those persons had no patent office, or any office at all: they were admitted to practice as solicitors by the Master of the Rolls; their number was limited. The fees of these Sworn Clerks had been regulated from time to time. Their amount was regulated by an order of Lord Hardwicke; and subsequently an alteration was made in them by Lord Erskine, and again reduced by an order of Lord Lyndhurst in 1829. The fees of these persons depended on the number of solicitors by whom they were employed. A man might hold the office thirty or forty years without obtaining a shilling; but if he conciliated the solicitors he might realize a large income; and some of these Sworn Clerks had derived 5,000*l.* to 6,000*l.* a year from offices to which no duties were attached. Mr. Pemberton Leigh, a high authority on the subject of the Court of Chancery, in a speech published by himself in 1840, stated, that the duties of these clerks consisted merely in signing their names on the records, and in receiving and transmitting to the solicitors all notices given in the course of a suit. "The statement of these details," added Mr. Leigh, after alluding to the return of their fees, obtained after great difficulty by the hon. Member for Cockermouth (Mr. Aglionby), "will show at once the enormity and iniquity of the tax which is thus levied on the suitor." A solicitor who was examined before Lord

Eldon's Commission in 1824 as to the duties of these Sworn Clerks, stated that they only increased the expense of the suits, without rendering any assistance to the solicitors; and he added, alluding to one of the clerks, "Mr. S. was a good clerk, even when he was a lunatic." The Act 5th and 6th Victoria gave the Lord Chancellor power to fix the compensation of the persons whose offices were abolished, it being provided that the amount of compensation should be not less than one-fourth of their respective salaries; but a much higher amount of compensation than they had any claim to receive had certainly been awarded to them. It used to be the rule to pay a fee to these clerks for every case upon the paper; but Lord Lyndhurst, when he became Chancellor in 1828, issued an order that no clerk in court should be entitled to a fee for a case on the paper unless he was actually in attendance, and that such fee should not be allowed unless the attendance of the clerk was absolutely necessary. Lord Brougham intended, in 1833, to do away with these offices. He gave these clerks full notice that their days were numbered; but there was no alteration, and they received the enormous compensation to which he had referred. The order for compensation was made in November, 1843, and it excited the greatest astonishment. One gentleman received as compensation for the deprivation of his office, an office in which neither skill, education, nor acquirements were necessary, no less than (or as the order of the Lord Chancellor expressed it, only) 5,434*l.* a year; and he was besides appointed taxing master, for which he received 2,000*l.* a year in addition, making 7,400*l.* a year; so that for sitting in Chancery Lane five hours a day he received 7,434*l.* annually, and might retire when he liked with his compensation of 5,434*l.* Another person, who was merely an agent to a Sworn Clerk, and who in his application to the Lord Chancellor described himself as neither able to write nor to walk, was awarded 472*l.* a year for life. Again, another agent got 1,778*l.* a year, and a Waiting Clerk obtained a compensation of 344*l.* a year. The compensations and salaries amounted altogether to upwards of 70,000*l.* a year. The whole matter was absurd and ridiculous; not the least absurd part was that they got a compensation and salary for the same thing: thus these Sworn Clerks taxed costs before the Acts, and four of them were compensated on an income of 1,800*l.* a year for the loss of the office of taxing masters at 2000*l.* a year. Again these taxing masters were paid 2,000*l.* a year, whilst the masters in the courts of law get only 1,200*l.* a year for duties greater and requiring more skill and knowledge: it was in truth a most glaring job. The Chief Justice of England had only allowed him 10,000*l.* a year; and since his appointment he had refused to receive the whole of his salary, and he took no more than 8,000*l.* That was the income which that learned Judge, the highest legal functionary, with all his experience and ability, derived from his judicial situation; and yet here was a person, as he had before shown, being only a clerk, who received 7,000*l.* a year. Surely this was ridiculous, and could hardly be argued on seriously. Look at the salaries and compensations in the army and navy, and in the State—so that the atrocity of this job was apparent. It must have been a joyful morning in Chancery Lane after the passing of this Act, which gave a compensation to everybody! For all flesh and blood found in these offices was compensated—agents of agents, and clerks of Six Clerks to the fifth degree. But this was not all; for there was a provision in this Act continuing one half of the compensation to these parties for seven years after their death, by which he calculated that each would receive, on an average, 18,000*l.* additional. He did not know how this was to be defended. He heard on a former occasion that there was an instauce like it in Ireland. Poor unhappy Ireland! If a job was to be perpetrated in England, they could always refer to Ireland for a precedent! By another clause, there was paid for preparing and passing this Act, out of the pockets of the suitors of the Court of Chancery, 393*l.* The Bill was prepared by one of these parties who had got 7,000*l.* a year, and he had a return of money paid for cab fares in going backwards and forwards between that House and Chancery Lane, during the progress of the Bill. There was actually a charge made for that at the expense of the suitors in Chancery by Mr. Wainwright, who prepared the Bill. No wonder the parties so prodigiously benefited were anxious to pass it quickly through the House: the rapidity was unprecedented: it went not only with railroad speed, but an express-train pace, and happy were the Six Clerks and their fellows in good fortune when it had once become law.

It was brought down from the Lords on the 29th of July, when the lawyers were on the circuit; it was read a second time on the 1st of August; a third time on the 5th of August (two of the stages having been gone through after midnight), and it went back to the House of Lords and received the Royal Assent by the 10th of August. The 11th was, therefore, a joyous day in Chancery Lane. [Here the hon. and learned Gentleman read the several Motions from the Journals.] Never was Bill got quicker through the House. How, too, had the compensation been calculated? Upon three years of the fullest business ever known, when the Equity side of the Court of Exchequer had been thrown into Chancery, and when two Vice Chancellors had been appointed to accelerate the proceedings. The compensation, too, had been left to the Lord Chancellor, who was unaccustomed to such calculations. If it had been put into the hands of the Treasury, the inquiry would have been much more strict and searching. All that the Lord Chancellor required was, that the claimants should deduct their bad debts, and all the rest he freely gave them. All former Acts had given compensation either on an average of ten years, or on such average as the Treasury should direct: here it was on an average of three years. Many Acts might be cited; thus the Act 6 Geo. IV. c. 96, for abolishing frivolous writs of error, compensation was to be assessed by commissioners on an average of ten years. By 2 and 3 Will. IV., c. 94, for regulating the Registrars in the Court of Chancery, the Lords of the Treasury were to inquire, by oath or otherwise, whether any, and if any, what compensation was to be made. By the 3rd and 4th Vict. c. 94, the Lords of the Treasury were to inquire, under all the circumstances, what, if any, compensation was to be made. By the 5th Vict. c. 5, abolishing the Equity jurisdiction of the Court of Exchequer, the Treasury and the Lord Chief Baron were to assess what compensation, if any, was to be made. In the present Act, the words "if any" were left out. Why? Because Mr. Wainwright had drawn the Bill. He would challenge any one to show an Act of Parliament like this. Still the Lord Chancellor had a discretion in allowing fees, which had not been exercised. On behalf of the suitors, he appealed against this most unfair arrangement. What had been the consequences of it? That a tax had been levied upon the suitors—that four per cent had been paid upon the taxation of suits that had perhaps been most tedious and expensive. Some reductions had, he admitted, been made since he first moved the House upon the subject. One per cent had been reduced, and the price of copies of proceedings had been lowered 2*d.* per folio; for this change he took credit, and what he wanted was a much more extensive and sweeping alteration. If he were asked whether he wished to repeal the Act of 5 and 6 Victoria, he would answer that what he wished for was inquiry. He asked for a Committee to ascertain whether there had been a proper investigation before the amount of compensation was settled. It might be answered that injustice would thereby be done to individuals; but what was individual injustice to the gross and palpable injustice done to the public by the Act to which he had referred? He claimed that the House should not permit the suitors in Chancery to be thus plundered. No man calling himself a law reformer could object to this Motion, for the people were, in addition to good laws, entitled to have them cheaply and quickly administered. In both particulars our courts were lamentably deficient. What a comment this on the *Nulli vendemus et nulli negabimus* of the Magna Charta. He was almost sickened when he reflected in what way the administration of justice was conducted in this country. The hon. Member concluded by submitting his Motion.

The ATTORNEY GENERAL said, his hon. and learned Friend had an advantage over him on this occasion, as he was in the position of an assailant. He could not hope to make what he had to say to the House interesting, because the details were dry and technical; and in order to do the subject justice, he was compelled to make a considerable demand on the time and attention of the House. His hon. and learned Friend had come forward with a Motion made in 1844, and then disposed of. He had now added other matter, and he proposed that a Committee of Inquiry should be instituted, making this an introduction to his Motion, in order to have an excuse for trespassing on the House with the same materials he was provided with before, for the purpose of procuring that Committee which the House refused in 1844. The object of his hon. and learned Friend was to repeal a Statute deliberately passed, and to call on the House to commit

an act of gross injustice. It was easy for the hon. and learned Gentleman to lead the House to believe that the compensations to these officers were excessive. He met the hon. and learned Gentleman at once on that ground. It was immaterial whether the compensation was an abuse or not, or what the origin of the Six Clerks, or that the amount of the emolument of their offices was disproportioned to their services—it was enough to say these parties possessed these offices, had held them for a number of years; and these offices having become vested interests, if we desired to get rid of them, we were bound to give the parties the fullest compensation. The late Mr. Horner, who was as good a reformer as the hon. and learned Gentleman opposite, said, on Mr. Creevy's Motion to cut down the emoluments of the sinecure offices of the Tellers of the Exchequer, that nothing was so clear in all regulations for economical purposes as that vested rights must be sacredly protected. In this sentiment Mr. Tierney and Mr. Ponsonby concurred, and the Motion of Mr. Creevy was rejected. He (the Attorney General) only called for the same principle to be applied here. These clerks were established on a permanent footing in the year 1596, in the time of Lord Chancellor Ellesmere. The amount of fees was settled by Lord Hardwicke in 1743; and no change was made in the amount, except in 1807 by Lord Erskine, when an increase took place. Lord Lyndhurst prevented the Sworn Clerks from taking any attendance fee when they were not in attendance; and from 1743 to 1842 the fee received by them had been uniform, and he denied that the Lord Chancellor had any power to diminish the amount. He felt fully justified in making that statement by the Statute passed in 1840, for facilitating the administration of justice in the Court of Chancery, when the officers of that court were compensated for the loss they had sustained by the transfer of a portion of their emoluments to the fee fund. These clerks had the right to dispose of their offices; and he altogether differed with his learned Friend on that point. The 5th and 6th Edward VI. was directed against the sale of offices concerned in the administration of justice. But these offices did not come within the terms of that Act. By the 1st Victoria, c. 30, a variety of offices much more closely connected with the administration of justice were recognized by the Legislature as saleable offices. The 24th section recited that the officers on the plea side, the clerk of the rules, clerk of the papers, clerk of declarations, clerk of common bail, clerk of estreats and posteas, are in the gift of the chief clerk of the Court of King's Bench, and saleable by him. The clerkship at *Nisi Prius*, in the gift of the Custos Brevium, was also recognized as saleable by him. These offices were much more connected with the administration of justice than the Sixty Clerks. He had not the opportunity of answering a similar objection of the hon. and learned Member for Chester on a previous occasion; but he would now take the opportunity of saying, that a gentleman who possessed a full knowledge of the subject, and who had published an able pamphlet upon it, stated that the good will of a Sixty Clerk's office was disposable of, and that it would be unfair, if compensation were awarded, to treat it exactly on the footing of a registrar. In 1840, the hon. and learned Gentleman the Member for Cockermouth obtained a return of the emoluments of the Sworn Clerks; and this was a most important part of the question. It was from that return that Mr. Pemberton Leigh drew many of the materials of his speech, and amongst the abuses which prevailed he mentioned the Sworn Clerks, who derived enormous emoluments without performing any services. The right hon. Gentleman, on that occasion, stated the gross amount of three returns to be 8,130*l.*, 9,645*l.*, and 10,879*l.*, leaving on the last return a clear sinecure of 7,000*l.* per annum, after paying every expense. That point was brought distinctly before the House, and his right hon. Friend said, that the whole of the offices ought to be swept away. In 1842, after Lord Lyndhurst had received the Great Seal for the third time, he wished to effect some reform in the Court of Chancery, and appointed a Commission, consisting of Lord Langdale, Vice Chancellor Wigram, Mr. Pemberton Leigh, and Mr. Sutton Sharpe. Two of these gentlemen were well known conscientious reformers; one of them was thoroughly acquainted with the abuses which existed in the Court of Chancery; and all of them were gentlemen of the highest character and integrity. A memorial was presented to them by the Law Association, praying for the abolition of the Six Clerks and the Sworn Clerks. The Commissioners reported that it would be necessary to abolish the offices of the Six and the Sixty Clerks and their fees, and

asked the Law Association to suggest some practical means of accomplishing their object. The Law Association suggested that compensation should be awarded to those persons who were to be deprived of their offices. Upon that suggestion and report the Commissioners had a Bill prepared, and every clause of that Act was most carefully considered by the learned Commissioners, and not one clause was introduced without their entire sanction. Mr. Wainwright, one of the Sixty Clerks to be compensated under the Bill, called on Lord Cottenham, and went over the different clauses of the Bill, pointing out the nature of the compensation, and that with respect to the saleable value of the office there was to be a clause giving the power of compensating for seven years, after the death of the present holder of the office. Lord Cottenham made no objection to the clauses. On a previous occasion, the noble Lord the Member for the city of London said Lord Cottenham was dissatisfied with a statement which he (the Attorney General) had previously made, inasmuch as he supposed it had been said he had given his sanction to the clauses. He would now call the attention of the House to the correspondence which had passed between Lord Cottenham and Mr. Wainwright on the subject, in order to place the matter on a proper footing. In Lord Cottenham's letter to Mr. Wainwright, dated the 22nd May, 1844, he said—

"In my two former letters I have distinctly put the question to you, whether by your letter to Mr. Follett you intended to say, that I had approved of the clauses, or only that you had explained them to me. To this question I have not received any answer. It is certain that the impression made by the expression used by you on the minds of those to whom your letter was communicated, and by them created in the House, was, that you intended to allege I had approved of the clauses; but this is so inconsistent with the fact, and with what you say in your last letter, that I am unwilling to suppose, and to act upon the supposition, that such was your intention, without once more calling your attention to it."

In Mr. Wainwright's reply to this letter, he said, he had no hesitation in saying, that he did not intend, in his letter to Mr. Follett, to state that his Lordship had expressed to him an approval of the clauses—that it was his intention to state in that letter simply what his Lordship gave him permission to state, namely, that he had called his Lordship's attention to the compensation clauses—that the first conversation he had with his Lordship left on his mind a firm conviction that on that occasion he did approve of the whole Bill; and he thought himself at liberty to refer in his letter to his Lordship's public conduct on the subject. The fact that his Lordship allowed the Bill to pass without observation warranted the public to believe, as he had believed, that the Bill had his Lordship's sanction. He (the Attorney General) was not going too far in saying that Lord Cottenham's attention having been particularly drawn to these clauses, and his Lordship having made no objection to them at the time, nor stated any objection when the measure was passing through the Lords, he might be fairly understood to have approved of those clauses. It was impossible to draw any other conclusion from his Lordship's conduct. Thus they had in favour of this measure the opinion of the eminent persons who composed the Commission; of the solicitors connected with the profession; and the sanction also of Lord Cottenham, not expressed in words, but implied from his silence; and, likewise, the sanction of the other law Lords, who made no objection to the Bill while passing through the other House. Thus the Bill came down to that House with the unanimous sanction of the House of Lords; and there was no force in the idea that it was hurried through Parliament without due consideration. Did the hon. Member for Kinsale mean to say that any person had an interest in huddling the measure through the Legislature? The Government had no interest in it, neither had any individual in that or the other House of Parliament. The hon. Member for Montrose was present when the Bill came into the House; and, on two occasions, he expressed his approval of the Bill, both in its principle and in its details. The attention of the House was called to it by the hon. Member for Sheffield, who drew the distinction between the different rewards given for political and professional services; so that the Bill did not pass without observation and discussion, though possibly not in so full a House as might have been desirable; but that was a circumstance which could not with propriety be urged as an argument against the measure now, seeing that every Member had a full opportunity of attending to its provisions. But let them see what were the objections which his hon. and learned Friend made to the clauses in the Act. In the first place, he apprehended that the hon. and learned Member made no objection whatever to the proportions which under the Act were assigned to the

various parties, supposing the emoluments were such as they were legally entitled to. He objected to the three years' average on which the compensation was granted, as a mode of arrangement disadvantageous to the public; because, he said, in those three years there had been a great amount of additional business in the court, which swelled the averages. Now, he would venture to say, that the addition which was made by the transfer of the Exchequer business was very insignificant indeed; it was scarcely a drop in the ocean, and could not fairly be said to have swelled the average. But, said his hon. and learned Friend, was ever anything heard so improper and so extragavant as this compensation for seven years after the termination of their lives? Now, his hon. and learned Friend sanctioned that proceeding just as much as any other hon. Member of the House. It was clearly laid down in the 14th section of the Act; and if his hon. and learned Friend unfortunately happened to be absent, not so much for the good of his country as for his own private advantage—if he attended circuit rather than that House when this measure was before it, certainly it did not from that follow that the Act had not received his sanction as well as that of any other Member of the House. He (the Attorney General) maintained, that to give this compensation was a course perfectly justifiable under the circumstances; and that it was the course followed with regard to similar offices by the Government which was composed of hon. Gentlemen opposite. In 1836, when it was proposed to abolish the office of the Six Clerks in Ireland, a Bill was introduced into the other House, and received the sanction of Government, by which the legality of the sale and transfer of those offices was fully acknowledged, and compensation was awarded for the value of their fees to the Six Clerks. A sum of 4,000*l.* was granted; and they received, in addition, an annual sum not amounting to three-fourths or two-thirds of the whole of their emoluments, but an amount commensurate with the full net profits of the offices they enjoyed. Now, he did not find fault with this arrangement, as he considered they were bound in fairness and justice to compensate them to the full extent. In the year 1821 it was considered expedient to abolish some sinecure offices in the courts in Ireland—the office of prothonotary of the King's Bench, and that of filacer of the Common Pleas. Full compensation was given to the holders of these offices; and the same course had been followed with regard to certain sinecure offices in the courts of this country, for the loss of which there were parties who now enjoyed compensation to the amount of 6,000*l.* or 7,000*l.* a year. His hon. and learned Friend objected to agents being compensated, as they could not be considered as having any permanent interest in their office. But they had an example also for that. By the 3rd and 4th William IV., c. 94, compensation was given to the agent of the senior deputy registrar; and the secretary to the Master of the Rolls actually had a clause introduced to compensate him. These agents had certainly no defined tenure of office; but, practically, they were considered as holding office as long as the Six Clerks lived. His hon. and learned Friend objected to the Lord Chancellor being invested with the power of making these compensations at his own discretion; and he adverted to the great advantage which would be derived from a minute investigation by the Treasury, which required the parties to make oath as to the amount of their profits. But in the present case there was no ground for the interference of the Treasury, as the compensation was paid out of the Suitors' Fund, and not out of the Consolidated Fund. His hon. and learned Friend said that his object was to repeal the Act, as it had been improperly passed, and the compensations unjustly awarded. He would venture to say that there never was an Act which had been framed with more care; and he did not think the House would consent to the appointment of a Committee, the object of which was to repeal the Act, and to deprive parties of the compensation which they enjoyed on the faith of that Act. His hon. and learned Friend complained that his Lordship did not investigate the validity and authority of the fees. He denied that there was any ground for that complaint. The fees had existed from 1743, and, with the exception of an addition made to them in 1807, there had been no alteration in them since that time. But how did the Lord Chancellor proceed? He called for a return from each of those officers of the fees and emoluments received from their respective offices, which return was examined by Lord Langdale and Sir J. Wigram; and it was not until after a full examination had been made as to its accuracy, that the Lord Chancellor awarded the compensation which the Act of Par-

liament imperatively called upon him to award. Again, the Act provided that the minimum of compensation should be three-fourths of the emoluments of the office; but it was open to the Lord Chancellor to award more. He had, however, in each case, adhered to the minimum—a course which he believed was almost without precedent in such arrangements. What had been the result of the measure? Fees had been taken off to the amount of between 24,000*l.* and 25,000*l.* a year. New fees had undoubtedly been imposed, because new fees were necessary for the payment of the new officers appointed under the Act; but the amount of these new fees had been gradually diminished, and, altogether, the public had been already benefited by a diminution of between 15,000*l.* and 16,000*l.* a year. And, then, compensation to the amount of between 4,000*l.* and 5,000*l.* had fallen in; so that, on the whole, a diminution of expense to the public of about 20,000*l.* had been effected. He admitted that the public had paid a large price for the abolition of these offices, but not a larger price than justice and a due regard to the public interests required; and the public had an inestimable gain in the power of reducing fees, which had already produced, as he had said, a saving of between 15,000*l.* and 16,000*l.* a year. Ultimately the only fees that would be required were those necessary for the payment of the salaried officers appointed under this Act. One word on these new offices. The hon. Member for Kinsale had objected to the salaries awarded to the six taxing officers. They were also appointed, and their salaries fixed at 2,000*l.*, on the authority of the Act of Parliament. He believed the duties of those officers were onerous, and that they had incessant employment, and that the profession generally was satisfied with the manner in which those duties were performed. The Lord Chancellor was empowered to appoint six officers; but how did he exercise this patronage? He was anxious that the public should have the benefit of the most impartial selection, and, accordingly, he applied to the Commissioners to nominate those persons whom they considered best fitted for the performance of the duties; and the result was, that only one new officer, a solicitor, had been appointed, the other five being entitled to compensation in consequence of previous offices, which compensation would be limited by the amount of their salaries. Under the same Act there were two clerks of record and one clerk of enrolments to be appointed by the Master of the Rolls, at salaries of 1,200*l.* a year. Here, also, officers entitled to compensation for previous offices were appointed, whose compensation was in like manner diminished by the amount of the salary. Thus was there no foundation whatever for granting the Committee for which his hon. and learned Friend had moved. The question was not whether the existence of such offices was just. He contended that there was nothing unjust in the holding of them, and that those who possessed them and were entitled to their emoluments—emoluments which had existed for more than a century—had a right to look for compensation when they were deprived of them. That compensation had been awarded and was enjoyed under the solemn sanction of an Act of Parliament; and the House would fail in doing justice to the parties if they now permitted it to be questioned.

Mr. HUME would admit that he had approved of the principle of this Act; but in the details, as they were now explained, he could not have concurred, because when the Bill was before the House they were not developed. The question was, whether the power given under the Act had been well and discreetly exercised by the Lord Chancellor, It might have been well exercised; but, he must say, he had never known an instance in which the exercise of the discretion of an individual had been so severely araigned as that of the Lord Chancellor in this matter. A bad precedent taken from Ireland was the only precedent the Attorney General had to rely on. The opinion of the public was so firmly fixed that the case now before the House was the job of jobs, and was such a perfect waste of public money, that nothing would satisfy them short of an inquiry. Besides, as doubts existed about the facts of the case, the best way to clear them up was the appointment of a Committee. The hon. and learned Gentleman (the Attorney General) seemed to think that the only object of the hon. and learned Member (Mr. Watson) was to put an end to the compensation that had been awarded to those individuals. He (Mr. Hume) was afraid that the Bill having passed, the compensation was secured to these individuals beyond the reach of the House; but there were other objects that could be gained by the inquiry which was sought. It would be some satisfaction to know whether the public

officer who had been intrusted with the discretion of awarding these compensations had exercised that discretion wisely or not. It was also of some importance to inquire into the nature and extent of the present taxation of suitors. The present was one of those questions which, if the Government should resist inquiry into it, would throw a stigma upon them, and hold them up as covering an act which was believed by the public at large to be disgraceful.

Mr. W. WILLIAMS said, as the hon. and learned Gentleman opposite had appealed to him in so very pointed a manner, he felt bound to say a few words, although he did not propose to follow the hon. and learned Gentleman through his very long and able special pleading. He must, however, be permitted to say that he never heard a speech which answered fewer of the arguments of the hon. Member who had brought forward this Motion. The hon. and learned Member (the Attorney General) was particularly desirous to join issue with him, on the question of awarding fair and just compensation to these individuals. Now, he would agree with the hon. and learned Gentleman on the principle of giving either of these individuals, or any others, such a fair and just compensation as they were entitled to it by the loss of office through the enactments of Parliament; but the real question at issue was, whether these persons were clearly entitled to the amount of compensation that had been granted them? That was what the hon. and learned Attorney General had failed to establish. The hon. Member for Kinsale had distinctly stated that this compensation had been granted upon a return of fees made by these officers: some of those fees were legal, and others he understood were illegal; if, therefore, they were illegal, they were fraudulent and dishonest. Now, whether the Lord Chancellor had given compensation to these parties founded upon a return in which illegal fees were included, was the question into which the hon. and learned Member for Kinsale was desirous of inquiring. This was a question which the public demanded should be inquired into, and which the House ought not to shrink from. This, he might say, was a subject which had been canvassed more by the public than almost any job of the many jobs which had taken place within the walls of the House. There was another point to which he would allude—it was this: that the Lord Chancellor had been the party appointed to make arrangements with these officers. He regarded that as a deviation from all former custom. The former custom had always been to leave questions of compensation with the Treasury, and not with the Lord Chancellor. He should like to know from the Chancellor of the Exchequer, if, when he consented to this Bill, that these persons were entitled to these immense amounts of compensation which four of them received, being no less than 27,000*l.* of the public money (for they must not be allowed to shelter themselves by saying that the money was derived from fees; it was the public money to all intents and purposes) — the greater portion of which ought to go into the Treasury, instead of the pockets of these parties. To show how far returns made to that House might be depended upon, he believed he might state it as a fact that the Lord Chancellor actually asked a return from these parties themselves of the fees. The House had no information whether that return was accurate or inaccurate—just or unjust; and he would be bound to say, that if a Committee was appointed, it would be found that the returns partook very much of the same character as the Tamboff returns, which had been presented to that House. If the Government were satisfied of the accuracy of the returns, why did they oppose inquiry? The refusal, to his mind, was pretty clear evidence that they were conscious that the matter would not bear investigation. It showed the consequence of the mode in which the public business of the country was transacted in the House. The hon. and learned Gentleman opposite saw that the Bill had received the deliberate sanction of the House; but he had no doubt, if the records of Parliament were searched, that it would be found there were forty other Bills passing various stages at the same time as this Bill, and they had all received the deliberate sanction of the House. He thought the hon. and learned Attorney General had signally failed in his attempt to show that this Bill had received the sanction of Lord Cottenham; for that noble Lord distinctly said that the measure was never submitted to him, and he emphatically denied that he had ever given his sanction to it. He hoped the right hon. the Chancellor of the Exchequer would state distinctly whether or not he was aware of the extent of the emoluments of these parties, and the amount of compensation which they were to receive when he sanctioned the passing of that Bill. The hon. and learned Attorney General had at-

tempted to throw the responsibility of the measure upon the whole House: he did not dispute the correctness of that assertion. But if the right hon. the Chancellor of the Exchequer was aware of the extent of these emoluments before the Bill passed, he was sure it was high time for the House to look more narrowly after the expenditure of the Exchequer. His opinion was, that the Chancellor of the Exchequer was as ignorant of these facts as he was himself, or he would never have given his consent to the Bill. If Lord Chancellor Lyndhurst was aware of the extent of the emoluments of the officers (some more than 10,000*l.* per annum) when he proposed this Bill, he said hir Lordship had not acted justly to the public by not making it known to the House of Lords, in order that that House, as well as this, might have an opportunity of making themselves acquainted with what they were doing when they were passing this Bill. He hoped the Government would not refuse the Motion of the hon. and learned Member for Kinsale.

Sir J. GRAHAM rose and said, he was unwilling to trespass upon the attention of the House upon a measure of that kind, which was more especially confined to matters of a legal or technical nature; but after the speeches that had been made by the hon. Members opposite, and their determination to press the Motion to a division, it was necessary for him to trespass upon their patience for a short time. He would begin by saying, that if the Motion had been confined to the introductory part of the question before the House, namely, for an inquiry into the nature and extent of the taxation of suitors, by the collection of fees in the courts of law and equity, he would have had no objection to the Motion, because he considered that an inquiry of that nature might be attended with beneficial results. But, after the speech of the hon. and learned Gentleman who proposed the Motion, as well as that of the hon. Member for Montrose, he felt that he could not consent to the inquiry. The hon. Member for Montrose had called the transaction in reference to which the inquiry was moved for, "the job of jobs;" and then went on to say, that the compensation that had been given to the several persons mentioned in the Motion was now irrevocable; it was admitted, therefore, that his object was to inculpate the conduct of the Lord Chancellor, who he appeared to think was a party to the perpetration of the "job of jobs." He knew that the entire conduct of the noble and learned Lord had been pure and irreproachable, and therefore he could not be a party to the Motion that sought inculpation under the guise of inquiry. The hon. Member for Coventry had asked his right hon. Friend the Chancellor of the Exchequer if he was aware, at the time of the passing of the Bill referred to, of the extent of the compensation that was to be awarded to those persons? He would give the same answer that his right hon. Friend would have done, had he risen to address the House, namely, that at the time the Bill was passed, the gross amount of the fees that had been abolished was not known. In fact, that was not the question for consideration at all; for the subject that was brought under the notice of the House, and had been discussed, was the principle of compensation, not the amount of fees, for which, when abolished, compensation was due. The Bill came down to that House under great authority; for previous to its introduction to the House of Lords, it had been submitted to the consideration of a Commission, of which the Master of the Rolls and Vice Chancellor Wigram were members, and they had given to the subject the most deliberate attention. He was informed, and believed, that it had received so great revision by that Commission, that the draft of the Bill had to be reprinted three times before it was presented in the House of Lords. He might also mention, that at the time the Bill was introduced into the other House, from the circumstance of the Lord Chancellor being unwell, he had not charge of the Bill, and therefore it was introduced by Lord Langdale. The single question was, had the compensation been given upon a just or unjust principle? The principle that had been adopted in Exchequer cases was, allowing seven-eighths of the amount of fees that had been received on the average of a certain number of years, as compensation to the clerks; but in this Bill, a minimum rate of compensation was laid down as three-fourths of the average amount of fees received within a limited number of years, but empowering the Lord Chancellor, in such instances as he thought advisable, to allow the full amount previously named, or any part of it—not less, however, than three-fourths. The Bill had not passed through the House without discussion, and he would contend that there was nothing novel in the arrangement; but if there were, it was in reducing the minimum allowance for compensation to three-fourths

instead of seven-eighths of the amount of fees. Presuming that the fees previously paid were legal, he could see nothing more just than allowing compensation when they were abolished. That brought him to the consideration of the legality of the fees. They were first established in 1743, under Lord Chancellor Hardwicke, and so remained till 1807, when they came under the revision of Lord Erskine, who had ordered some of them to be increased. Those fees then fixed had reference to business at that time transacted in the Court of Chancery, and at the time yielded no more than a moderate salary; but as the business increased, which it had done very considerably, of course the additional amount of fees rendered the emoluments much more lucrative; therefore, when they considered the length of time that the fees had been received, he thought it could not be denied but their legality was sufficiently established. The Lord Chancellor was invested with considerable discretion, yet in no case did he award the full amount allowed by the Act: without a single exception, the award was the minimum sanctioned by the Act of Parliament. Hon. Gentlemen opposite seemed to speak slightingly of the law reforms which had been effected; but the fact was, a most formidable and growing abuse had been rectified. Already, one-tenth of the amount of compensation had lapsed by deaths, of which the public received the full benefit. The amount of fees had, previous to this reform, been 77,000*l.* a year; it had been already reduced to 40,000*l.*, showing a saving of 37,000*l.* The amount of fees received under the present Act would, when it came fully into operation, be somewhere about 20,000*l.*, showing a reduction of more than 50,000*l.* per annum. Whatever might be said to the contrary, he could not think that it would be just or fair to effect these reforms regardless of the rights of innocent parties. It would not be consistent with public feeling or opinion to effect reforms by inflicting injuries on unoffending individuals, who had what might be termed established rights. The question, therefore, narrowed itself to this simple ground —whether parties whose right to compensation was admitted, had received more than a reasonable and equitable compensation? If the compensation were large, the fees were lucrative; and it was consistent with the principle of compensation that it should be lucrative also. The House had limited the discretion of the Great Seal, as regarded the principle upon which compensation should be granted, and the Lord Chancellor had acted within these limits. As it had been declared that the object of the Motion was to inculpate the conduct of the Great Seal, whose conduct had been termed the "job of jobs" by hon. Gentlemen opposite—as he thought this great legal reform had been conducted upon a sound principle—and as a great abuse had been eradicated without injustice to any party—he felt bound to resist the Motion. He did not deprecate the discussion, because the Lord Chancellor had been hardly dealt with and had incurred much unmerited obloquy in the execution of his duty; but he felt satisfied that the more the matter was discussed—the better it was understood—the more convinced would the public be that the Lord Chancellor could not have acted otherwise, and that, in fact, he had behaved on this, as on all other occasions, in a manner not unworthy of his high trust, or of his exalted and blameless character.

MR. F. T. BARING congratulated the hon. and learned Gentleman who had made this Motion on his having elicited from the right hon. Baronet a declaration that he had no objection to a general inquiry on the subject of fees. As to what the right hon. Gentleman had said with respect to the Lord Chancellor, he begged to disclaim all intention of casting censure on that noble and learned Lord, if he voted for this Motion. He believed that any causes of complaint that had arisen were quite as much owing to the Act itself as to the administration of it. He also entirely agreed with the right hon. Baronet as to the justice of compensation. If we allowed abuses to grow up, it was but right that we should pay for them; and we had no right to effect public reforms at the expense of private individuals. But it was not surprising that the public mind should be aroused, when they found what was tantamount to a million sterling awarded in the shape of compensation to a few individuals. It should not be forgotten that the Act in question passed in a very hurried manner. It was in that House only one week altogether. It might be generally supposed, too, that the Bill received full consideration in the House of Lords; but such, he understood, was not the case. It was stated, on good authority, that the compensation clauses, as printed in that House, referred the settlement of the amount of compensation to the Treasury, and not to the Lord

Chancellor. The right hon. the Attorney General said, that the reason why the Lord Chancellor was substituted was, that he had the control of the Suitors Fund; but he could assure the House that a reference to the Treasury under such circumstances was not a mere matter of form, but that the Treasury offered an efficient check both in the framing of such measures of compensation, and in the adjudication of them. The rule with the Government of which he (Mr. Baring) was a Member, was, that no compensation clause should be inserted in a Bill without being sent to the Treasury, where it was submitted to an officer whose previous experience was such as peculiarly fitted him for the duty of determining questions of that description. He begged to ask the Chancellor of the Exchequer whether in the present instance the usual precaution had been taken—whether the eighteen compensation clauses had been submitted to the Treasury, sanctioned by its authority, and examined by its officer? Where there were so many clauses, it was idle to speak of the responsibility of the House. The Treasury were better qualified to judge on questions of compensation than the courts of law; for it was daily in the practice of dealing with such cases. It was not surprising that the public should look with jealousy at the proceedings to which the attention of the House had that night been called; and it would surely be satisfactory to the noble and learned Lord who held the seals, if an opportunity were afforded for inquiry. The House would receive a lesson in dealing with compensation cases; and it would, he thought, be its duty to make some regulation for future guidance as to the mode in which questions of that description should be decided.

Sir J. GRAHAM thought he had stated, that after the Act was passed, and before compensation was awarded, returns were called for as to the emoluments of the officers; that those returns were submitted to the consideration of Vice Chancellor Wigram and Mr. Pemberton Leigh; and that, after they were so submitted, the compensation was fixed at the lowest amount which could be given under the Act. What he wished to explain, however, was, that he had reason to believe the compensation clauses were printed for the use of the House of Lords, though, consistently with the privileges of this House, they could not be discussed by their Lordships; and in those compensation clauses, as originally drawn, it was provided, under the impression that the Suitors Fund might be insufficient, that the Consolidated Fund should be made answerable for any deficiency. Power was given to the Lord Chancellor, as superintending the Suitors Fund, and to the Treasury, as having charge of the public purse, concurrently to award compensation. From those clauses, when they came to this House, the contingent lien on the Consolidated Fund was withdrawn. The charge then rested exclusively upon the Suitors Fund. The Treasury had, technically, no control over the Suitors Fund, which was exclusively under the power of the Great Seal; and on that ground the Treasury had not been called upon to interfere.

Mr. C. BULLER regretted that a question of so much importance should have been mixed up with an inquiry into a past Act, which every body on both sides of the House agreed was irremediable. He regretted it, because it not only connected the question with matters of a personal nature affecting certain parties, but because it came forward in the shape of an attack upon the Government, and upon the Member of the Government who was officially responsible for the Bill. He was not called upon to defend Lord Lyndhurst; although on any proper occasion he should be perfectly willing to discuss his conduct either as a Judge or a Minister; but what he (Mr. C. Buller) wished to impress upon the House was, that in this matter, whatever might be Lord Lyndhurst's official responsibility, it was not with the real act of the noble and learned Lord the House had to deal. In this case, Lord Lyndhurst came into office at the time these changes were contemplated, and he did that which any wise and honest Minister would have done to put law reform upon the best footing, and his conduct placed him beyond the possibility of suspicion. Lord Lyndhurst found a commission in existence, composed of gentlemen, all most interested in the subject of law reform, who had done more for it than all the Members of that House put together, and who had shown the greatest earnestness and zeal in that cause; and he referred the matter entirely to them, using his official power merely to give effect to their decision. The names of those persons had been mentioned, and it was obvious that there was no party feeling in the appointment of that commission. There was Lord Langdale, who was

opposed to the Government in politics; then there was Mr. Pemberton Leigh, and Vice Chancellor Wigram, who, although agreeing with the Government in politics, had earned for themselves honours which it was to be wished other Members of the profession would emulate in reforming professional abuses; and there was Mr. Sutton Sharpe, who was as much opposed to the present Government as could well be imagined. Then there was every thing in the mode in which this compensation had been settled to give that House and the country reason to suppose that those who had undertaken the matter could not be influenced by any paltry desire for jobbing, which could not be turned to their advantage. The acts of men who had shown such an earnest desire for law reform should be judged fairly, and not as a question in which party feeling had any influence. But the only question was the amount of compensation. It was impossible to fix any precise amount of compensation to be given to persons whose offices were abolished. It was purely arbitrary; at any rate, no principle had been laid down by any authority as of general application to regulate all cases of compensation. In such a case as the present, it was the duty of those entrusted with the duty of fixing compensation to see what amount Parliament had granted in preceding instances of a similar kind. It might be right to adopt another principle; but still it was wise in a case where there was no principle to guide them to see what Parliament had done, and no one could be blamed for searching into precedents. Now these gentlemen had gone through the Acts of Parliament, and had found as a general rule that the Legislature had never allotted less than three-fourths of salary as compensation on the abolition of offices; in some cases more, but hardly ever less. These gentlemen, then, could not be blamed for taking that as the minimum of compensation. But the complaint was, that the matter had been taken out of the cognizance of the Treasury, and given over to a set of lawyers, who, from a sympathy with their brethren, would judge with exceeding generosity as to the amount of compensation that ought to be given. He was far from denying the existence of this amiable weakness on the part of the fraternity to which he had the honour to belong; but the gentlemen to whom this task had been allotted might be supposed to be influenced by another feeling also, because they were the very persons who, braving all obloquy, and in spite of the evasions of numerous returns that had been ordered, had succeeded at last in extracting the real amount of the emolument of these officers; and in fact had waged a constant battle with them. Something, therefore, of this feeling, as well as that of professional sympathy, might have been supposed to have actuated them. But was the compensation they awarded, in fact, more extravagant than the Treasury, in the exercise of a similar discretion, had given before? Two years before, Lord Cottenham had abolished certain offices in the Exchequer, and in that case the Act of Parliament decided that the compensation was not to be less than three-fourths. But what did the Treasury do, being at that time under the superintendence of his right hon. Friend near him (Mr. Baring)? The Treasury allotted in every case full seven-eighths. But the Treasury did more. It made no allowance for bad debts, but calculated the seven-eighths upon the whole amount. Now, the Lord Chancellor had in the present case fixed the compensation at three-fourths, after deducting the bad debts. Would the public then have been gainers by trusting a Treasury acting upon their former principle, or by trusting the Lord Chancellor? By comparing the two systems, it would appear that the gain to the public by not following the Exchequer plan was not less than 68,000*l*. And where in fairness was the inquiry to end? Was it to be confined to this class of fees? If these old stories of compensation were to be raked up, let the case of the Exchequer compensation be gone into also, and it would be seen that the bargain made by Lord Cottenham, and ratified by his right hon. Friend, was infinitely more improvident than the other. It had been said that the extraordinary feature of the present case was the grant for seven years after death. What you had to compensate these persons for was, the loss of the estate you had taken away from them; and if it were a life estate, let it be life compensation only; but if the estate were of a nature which might be administered by executors, compensation must be given for an estate lasting beyond life. But it was said that the parties had no right to sell these offices. What! after the connivance of whole generations of legal authorities, and of the Legislature? He admitted that it was a scandalous abuse that these offices should be saleable. But whose

scandal was it—the scandal of the men who only took advantage of a law in their favour, or of those who enacted the law. It would be disgraceful to the House were it now to do justice to the public at the expense of innocent individuals, and assume the cloak of economy to conceal its own disregard of the public interests. In the Papers before the House, at p. 64, Mr. Mills stated—

"On the 20th March, 1820, I entered into a contract with the Committee of the estate of John Gregory Shaddick, a clerk in court (but then recently found a lunatic), in respect of his business, and which contract I carried into effect, on the decease of the said John Gregory Shaddick (which took place on the 10th of February, 1823), with his sister and administratrix, and with the trustees of that lady's marriage settlement."

So it was found that a lunatic was quite competent to hold this office. Why had not hon. Gentlemen, who were now so indignant at these abuses, brought them forward before? Why, when a judicial office was entrusted to a lunatic, was not the scandal exposed? Why should the Legislature so long tolerate a system so abominable, and then turn round and seek to deprive those who had purchased the office of this lunatic of the money they had paid for it? It was exceedingly wise to abolish those abuses; but they had no right to deprive those persons of that in which, through the negligence of the Legislature, they had invested their property. As the public was to benefit by the reform, the public should compensate the suffering individual. The hon. Member for Montrose said, the only precedent for this was one which had been mentioned by his hon. Friend the Attorney General — namely, the case of the abolition of similar offices in Ireland. The reason that that was the precedent on which they relied was, because it was the only case of precisely similar offices being abolished. It was done, he thought, in 1820; and they then effected in Ireland the same reform as was effected in England now. They then took the subject into consideration, and allowed all those persons full compensation for the right of sale they had in their offices. In the case of Ireland, with respect to an exactly similar office, twenty years before, by Act of Parliament they recognized the right of sale in the officers; and would it not be justice in England to recognize the right of sale, and not deprive those persons of all the profits of the money they were entitled to receive? The argument used was, that in all those cases of law reform there were a great many prejudices and vested interests to contend with; and when any person came forward with a proposal to make a court of justice more rational, expeditious, and cheap, he was immediately met by a host of persons who knew that by reform, without compensation, they would be deprived of their livelihood. Those were not persons whose opposition was to be despised by any person who undertook to make a reform of the law, for they were the persons cognizant with the working of the law, and having them on his side, the work of law reform was comparatively easy; but having them opposed to him, the work of law reform was impracticable. Let them look to the importance of doing away with those abuses, and they would perceive it was their interest to hold out to all holders of those offices that they personally should not be the scapegoats of their reforming policy. They would hold out to them that they should not be losers by the change, which was to be a great source of gain to the public. It was said that such an extravagant rate of compensation as this disgusted the public with law reform, and was actually a burden to the public. It was said that the fees were increased; but that was directly contrary to the truth. The fees—with compensation and all—were never the same amount as they were before. In the first year they were 750*l.* less—a small amount no doubt; but had they gone on increasing? No, they had gone on diminishing ever since. He had not been exactly able to make out the amount; but it appeared from one of the calculations he had seen that there had been from 15,000*l.* to 24,000*l.* of actual diminution. It was said that particular fees had been raised. No doubt they had, for the convenience of the court and of the officers; and one of the abominations of this fee system was the great number of fee-takers employed, over whom the public had no control. If they did raise the money from the public through fees, it was good policy to collect those fees as largely as possible in particular offices, and not scatter them through a number of offices. In that way particular fees were raised; but what was the working of it on the whole? Had the suitors to pay more fees than they previously did? No, they had to pay less than they did; and by the deaths of those persons, and other changes, the whole amount of fees would go on diminishing. There was one

point raised, as to the impropriety of taking three years' average. It was said that they might have gained more by diffusing it over a larger space; but would that have done justice? No doubt if they had taken a larger number of years, in which the returns were less, the fees would be less also; but when they took away a man's estate, whether was it fairer to take it at what it had been worth for the last ten years, or to take it at what it was worth at the time when it was taken away? It was fair to take it at what it was worth at the time when it was taken away, particularly when, in consequence of the increase of business in the Court of Chancery, those fees were increasing; and if they were let to go on, those persons' incomes, instead of diminishing, would be increasing. Another question had been raised as to the legality of those fees. It was said that they were not strictly legal, and might be resisted; but the right hon. Baronet had disposed of that objection; whether these fees were legal or illegal, they had the sanction of the highest authorities to whom the public looked as expositors of the law. On what, he asked, could men believe that they had a better title for the receipt of those fees, than in the table of fees originally allowed by Lord Hardwicke, and put into its present shape by Lord Erskine? It should be recollected that every Bill of costs (in which those fees were charged) was taxed; and in any suit in the Court of Chancery the parties might have brought the question before the public and the court. Let them understand the matter—a man in an office in the Court of Chancery charged a person in a suit in that court certain fees; and his learned Friend said those fees were illegal. But if all those fees were illegal, how came it that, since the time of Lord Hardwicke, no obstinate litigant in the Court of Chancery had turned round on his solicitor, and said, "You paid a fee that you had no right to pay. I will bring this matter before the Chancellor, and see if this fee was legally paid or not?" The thing was never done, and the sanction of law was given to those fees in a way as decisive for the public, and every person interested in the course of justice, as if it were embodied in an Act of Parliament. And in fact, as he was reminded by an hon. Member, the party who did not pay those fees was subject to attachment. No blame, he conceived, attached to the persons on whom, if they instituted this inquiry, it would undoubtedly fall. He was sure it would lead to no other practical result, for he was perfectly certain that the opinion must be shared in by very few, that that House could feel itself justified in falling back on the Act of 1842, and by repealing that Act deprive those people of the compensation awarded to them under that Act. He (Mr. C. Buller) regretted that this subject had been included in the Motion of his hon. Friend, because it had prevented his hon. Friend's Motion from being attended with that success which would have followed it, if he brought the attention of the House to bear undividedly on the subject of the monstrous abuses that prevailed on the subject of fees in their courts of law and equity. He had heard with delight the assurance given by the right hon. Baronet, that if this Motion were merely one for an inquiry into the fees in all the courts, he would be disposed to sanction the fullest inquiry into all the abuses of that system. As to the subject of fee-taking in this country, he (Mr. C. Buller) conceived that the principle acted upon was most opposed to justice. Was the man who had the misfortune to become involved in litigation in a court, the process in which was so cumbersome as that in the courts of common law and equity, to be subjected to all the expenses of those fees? Was that man, so involved in litigation, whose character or estate was in peril from the decision of the court, to be the object of their special taxation? Was the sufferer to bear the whole expense of the administration of justice, not for the behoof of the litigant himself alone, but for the public at large? It was a monster iniquity, and one which should not have been left to him to denounce in the year 1846. It was an abuse that required reform, and the reform they should have was, to strip litigation of all but the necessary expenses, and to carry on the administration entirely at the expense of the State. But there were other great objections besides the general iniquity of assessing fees on litigants in their courts of justice, which the House, he trusted, would excuse him for detaining them a few minutes in pointing out. Great evil resulted from the manner in which those fees were collected, and he would show how those fees were collected in the courts of law and equity. He found that in the Court of Chancery fees were returned to the amount of 153,554*l.* per annum. Now about one hundred persons were entrusted with taking those fees. There was

no check upon them, except in the Court of Chancery alone; and in that court there was no mode of checking them, but to trust entirely to the oath they had taken, and their own honour. In the courts of law it was still worse; there was there 150,000*l.* raised in fees, and the fee-takers amounted to one hundred, but those persons had not even the check of an oath upon them. They took the money that was brought to them, and could return what they chose, for there was no check upon them. A sum of 300,000*l.* yearly was returned as levied in the shape of fees in the courts of equity and law; and who could know how much more was levied with reference to which there was no return at all? He (Mr. C. Buller) did not want to make an accusation that might bear on any individual, but there was an impression amongst persons conversant with the courts, that the facilities for abuses in those particulars had been abused, and that there had been cases in which persons taking those fees had returned to the courts only a proportion of what they received. But whether that accusation were just or not, it was a scandal to this country that there should exist opportunities for abusing, which left their public officers and courts of justice open to those attacks. It was not on the fee-takers themselves this system was calculated to exercise a corrupting influence. They were paid those small sums through means over which the solicitor had no efficient check; and whether an opportunity was given for fraud in paying those small sums it was impossible to say. On that account also it was desirable that they should do away with this system altogether. He did not know any argument that could be used in support of this fee system. So long as the fee went into the pocket of the officer as a kind of wages for the work done, it might serve as a fillip to him to do the work; but he thought they had done rightly in doing away with that custom; but when they had done so they left not a shadow of pretence to take these fees from the litigants, and they were bound by every principle of policy to come to the consideration of the subject, with the intention as soon as possible to do away with the entire system of taking fees in a court of justice from the parties who were litigants. Having the misfortune to differ from his Friends on that side of the House on the proposition which had been brought forward, he deemed it just to the persons interested to bear his testimony with reference to them, and he trusted that was the last time they should hear of the subject in the House. But with regard to the other more important inquiry which was involved in the first part of the Motion of his hon. Friend, and with respect to which the Government had given such a satisfactory pledge, he trusted that was only the first time they should hear it entered upon by both sides of the House. He was of opinion that, setting aside all personal considerations and party attacks, they should put an end to this evil and pernicious system, and to an abuse which should not have been allowed to exist so long.

Mr. ESCOTT would preface the few remarks he had to make by saying, that he had listened to the debate with the greatest possible satisfaction, for this reason—a great abuse must now be reformed. First of all, he congratulated his hon. and learned Friend opposite (Mr. Watson) at having achieved that night one of the greatest victories that ever fell to the lot of a Member of Parliament to achieve, by obtaining from the Secretary of State and the House of Commons a full and free admission that with respect to the abominable practice that now existed, of extortion in the courts of justice, the House would not resist the Motion for a Committee, with full powers to enter into a full and satisfactory inquiry; which inquiry would lead to a full and satisfactory remedy for this long neglected grievance. This question was of such immense public importance, that he wished nothing of a personal nature should be in any way mixed up with it. But let not his hon. Friend suppose that if he felt the Lord Chancellor of England—however much he might respect his character and acquirements, and his great labours, for the benefit of the country—had been guilty of anything like a dereliction of duty on the present occasion, he should object to introducing his conduct into the inquiry. He feared that by mixing up an individual instance with a general inquiry, they would rather mar than promote the great object they had in view. He had listened to the speech of the Attorney General, and, totally and entirely as he differed with most of the arguments and principles which he advanced, there was one thing he thought he had proved, namely, that the Lord Chancellor only acted under the letter of the Statute Law. They could not enter into inquiry how that Act of Parliament had passed through the two Houses; and if the

hon. and learned Gentleman the Member for Liskeard chose to charge him with neglect of duty in not inquiring into it at the time, he admitted that he was open to the charge, and they were all open to the charge; but it was a most monstrous argument to advance, that, because Parliament a few years since had given a power, the execution of which was now acknowledged to be unjust, therefore they were not to inquire into the expediency of that Act under which the injustice was committed. Did the hon. Member think they should not repeal that Act of Parliament? He knew they could repeal it. He had not proved that it ought not to be repealed. The questions to the consideration of which Parliament should apply itself, and to the solution of which he trusted that the appointment of the proposed Committee would tend, were these—how the abominable practice of trafficking in fees might be put an end to at once and for ever, and what principle should be adopted on which to regulate compensation for the future. It had been most satisfactorily proved in the course of the present debate, that the duties in consideration for which compensation was given under the Act of 1842 were not legal duties; and it was quite time that a system should be put an end to, concerning which he would not hesitate to say that it was against common sense and common law. But it had been said the compensation was due, because the offices were sold. If ever there was an abuse which outraged decency, and cried aloud for correction, it was that of buying and selling offices in courts of justice. It was within the knowledge of many Gentlemen on the Northern Circuit, and perhaps, too, of many Gentlemen having seats in that House, that one of these offices, not very long ago, was sold (with a provision very possibly in the contract, securing compensation in the event of its being done away with); and it was also a notorious fact, that one of the Judges went circuit long after his age had disqualified him, for the purpose of having the reversion of a lucrative office to give to his near relative. It would not do, therefore, to advocate the continuance of this gross and disgraceful abuse on the ground that it was sanctioned by the authority of Judges and eminent lawyers. The system was essentially a vicious one, and ought to be corrected. It could never again be said that these officers were required, and that the interests of the public created the necessity for them. Were it necessary, he could call witness after witness to show that these officers were nuisances, rather than anything else. Why, how else was it proved that a lunatic had done the duties? It was no argument against such a Motion as the present, to say, that by the Act of 1842 compensation had been awarded to these persons. What he complained of was, that the fact was so; and the reason why he advocated the present Motion was, because he hoped and believed that it would have the effect of procuring a repeal of the Statute in question. There were other statutes which must be repealed. There was an Act of Parliament in existence, passed at the instance and through the influence of the Judges, authorizing the payment, not directly, but indirectly, of fees which, in point of fact, were without foundation either in law or justice; and the sooner that such a system was done away with the better for the country. He maintained that unjust fees were illegal, no matter what might be said to the contrary; and he thought that the fact was sufficiently attested by the circumstance that the officers had themselves submitted to reductions in those fees. If their demands were strictly legal, why should they have consented to any reductions? Their having done so proved that their exactions were exorbitant, and therefore illegal. The right hon. Baronet the Secretary of State for the Home Department had objected that it would be a "novel" proceeding to deprive these officers of the compensation which they were accustomed to look for; but neither was that an argument against the Motion. It was only by the institution of "novel proceedings," that any abuses could be abolished, and that a sounder, healthier, and more rational state of things could be established. If that House had for years slumbered over great abuses, that was only an additional reason why they should now exert themselves with renewed energy for the abolition of a disgraceful system, which was a disgrace to the courts of justice in this country, and a stain (he could not help saying) on the ermine of the Judges who sat upon the bench of justice and tolerated this oppression of the suitors.

Mr. R. YORKE, being of opinion that the matter now under discussion was one well worthy of the most serious consideration of the Legislature, would most cheerfully support the Motion of the hon. Member for Kinsale. The Act of 1842 had

passed through very thin Houses, the number of Members present ranging only from 27 to 50; and he all along regarded it as a bad and suspicious measure. He hoped that the Members of Her Majesty's Government, who had had the courage to abandon bad plans and principles on other subjects, would not hesitate to change their policy on the present question.

MR. ROMILLY was anxious that the Motion should be modified in such a manner, as to comprise an inquiry into the mode in which the various officers in the Court of Chancery collected their fees. He very much feared that the present system was a very irresponsible one, and that there was no species of check or means of ascertaining the extent of fees actually collected, and the precise amount that was paid over to the fee fee fund. Information on this point, however, was most desirable. He would support the present Motion, but wished to have it expressly understood, that he did not support it in the hope or the desire of procuring a repeal of the Act of Parliament under which compensation was awarded to the present officers. He thought that nothing could be more impolitic or unjust than that at the expiration of five years, during which the present system had existed, and after Government enjoyed the advantages which accrued from the circumstance of inducing men to give their services on the understanding that compensation would be given—nothing, he repeated, could be more unjust than that after all this, an inquiry should be instituted with a view to taking away the compensation which had been deliberately given. At the same time, however, he was strongly of opinion that the compensation awarded was excessive, and the reason why he would support the Motion was, that he thought it was highly desirable that a better state of things should be established prospectively, and that the evil should be avoided of giving a similar scale of compensation on future occasions. The fact was, that before the passing of the Act of 1842 the officers concealed, for a series of years, the actual amount of fees received, under the idea that the Chancellor might have reduced them had he known of it; and thus the House was misled, and a higher rate of compensation was given than circumstances should have warranted. His reason for supporting the Motion was, that he was desirous to obviate the recurrence of similar evils for the future.

SIR J. HANMER said, that as it had been intimated that Her Majesty's Government had no objection to grant an inquiry, he was anxious to learn from the right hon. Baronet the Secretary of State, whether it were the intention of the Government to take this matter seriously in hand, and to bring forward, at a future period, a substantive measure respecting it; or whether they would merely trust to the chapter of accidents, and, resting content with the appointment of a Committee, take no further step until some Member might again call attention to it?

SIR R. PEEL had no hesitation in giving an assurance to his hon. Friend that it was the wish of the Government that there should be a full and efficient inquiry as to the mode in which the officers of the courts of justice were paid by fees, for the purpose of ascertaining the facts of the case, and for the purpose of establishing effectual checks against abuse for the future. The providing against future abuses was the matter in which the House was chiefly concerned. When he filled the office of Secretary for the Home Department, he felt the difficulty of dealing with the compensations to the holders of judicial and other offices which it was deemed expedient to abolish. From the first hour of his entering upon that office, and even when he was Secretary for Ireland, he felt impressed with the importance of this subject, and that it was wise to get rid of fees by compensating the holders of office on abolishing them; but still there were great difficulties on the subject. He felt during the whole course of his experience that it was impossible to effect any important reform as regarded such offices, unless they acted liberally towards those who had vested rights in them. He found that they could not make any progress without doing so. It often happened that from the persons holding these offices they obtained the most important information respecting them, which they never would have acquired if these parties were impressed with the belief that the Government would not act liberally towards them if the offices were abolished. Government, therefore, had always shown an anxiety to act liberally when they proceeded to remove such abuses. The principle of giving to officers of courts of justice and to the holders of other vested offices such enormous amounts of fees as they would not for a moment think of giving to the highest officers of the State—which they would not give to

the Speaker, nor to a Minister of the Crown, nor to a Judge—was a state of things which should not be allowed. He did not hesitate to say that one of the greatest abuses which existed was the amount of emolument obtained by subordinate officers in the shape of fees which were paid by suitors for justice. He did not agree with the hon. and learned Member for Liskeard, that the total amount of the expense of litigation should be borne by the country; for if that principle was adopted it would give the greatest encouragement to the spirit of litigation, if parties had to pay no charge but that for their own counsel. He was not prepared to acquiesce in the doctrine that the whole expense should be defrayed by the public, for if this was done he should quite despair of the Treasury. It would be impossible to get a sufficient income for such a purpose. He was not only prepared to assent to a revision of the fees of such offices, but to resist the future increase of abuses which might arise in the lapse of time by the fees increasing far beyond what was intended when the office was established. He thought some effectual check was necessary for this purpose, and therefore it would be desirable to institute inquiries; and he was ready to acquiesce in any Motion for this purpose; and as the matter had originated with the hon. and learned Gentleman, it perhaps could not be placed in better hands than his own. If the hon. and learned Member would take the matter in hand, he would not hesitate to give him every assistance; but he could not acquiesce in the justice of instituting inquiries into transactions which had passed so long ago. He did not think that any charge should be brought against the Lord Chancellor, who, through the whole of this matter, had acted in accordance with the expressed opinion of the House. If the Act of Parliament under which he acted was defective, it was the fault of that and the other House. A most important opinion had been expressed in that House with respect to compensation to these officers in the year 1840. Mr. Pemberton Leigh then stated many most important facts on this subject, to which he should direct the attention of the House. He stated that the number of causes in Chancery in the years 1839 and 1840 was nearly the same as it was fifty years previously, and that the real amount of business in the Court of Chancery had not increased during that period. Looking to the enormous increase of real property during that period, it was impossible that there must not have arisen a greatly increased number of cases for litigation. Whence then did the cause arise that there was no increase in the amount of business in Chancery? Mr. Pemberton Leigh said—and he told the truth—that it was all very well for a rich man to institute a suit in Chancery, but that it was out of all question for a poor man to do so. There had been no increase in the business of the court, in consequence of the expense of proceeding, and parties would rather sustain a loss than commence litigation in Chancery, which they regarded as a great calamity; and Mr. Pamberton Leigh said that a great proportion of this expense arose from the amount of fees and emoluments paid to subordinate officers of the court. He said that one such officer received 10,000*l.* a year, another 9,000*l.* and another 8,000*l.*; and the first, after making every deduction on account of the expense of his office, could not clear less than 7,000*l.*, a sum greater than that paid to the Speaker of that House, to a Secretary of State, or as a retiring pension to the Lord Chancellor. His hon. Friend Mr. Leigh then said that such great abuses required an immediate remedy. The House, therefore, was perfectly cognizant of the transaction; and to remedy the future they were told the only way was to make a liberal compensation to the holders of those offices. No doubt large sums were given in the shape of compensation; but do not lavish all abuse against a system of compensation which had repeatedly received the sanction of that House on the abolition of offices that were bought and sold. In 1836 the House directly recognised the legality of selling such offices. He was speaking of the offices of the Six Clerks in Ireland. It was on record in an Act of Parliament that provision was made for compensation on a change in them. The clause in the Act to which he alluded stated that in the 4th and 5th year of his present Majesty an Act was passed for the better administration of justice in the Court of Chancery in Ireland, and that that Act be further amended, as it was reasonable and just that the Six Clerks who had purchased and were entitled to sell their offices should receive for every deprivation or loss of income accruing from this amendment of the law full and ample compensation. It was clear, therefore, in this case, that the House recognised the principle that in a change or abolition of such an office ade-

quate compensation out of the public funds should be made. How could his noble Friend hope to succeed in his reform if he did not act on the precedent which had been set in that House, for it was clear that by their former proceedings the sale of these offices had been sanctioned. This, be it remembered, also took place under a Lord Chancellor of the highest reputation —he alluded to Lord Plunkett. Let them effectually put an end to the sale of these offices for the future, and give the officers performing the duties reasonable allowances for the services done ; but care should be taken that they should be only effective officers, and let them take care to ensure a periodical inquiry from time to time into the amount paid; and in every case where the fees appeared to be extravagant, let them, on the part of the public, provide a remedy. He wished this to be done in every case. For instance, there had been an enormous increase in the amount of private business before Parliament—an increase which could never have been contemplated; of course a number of fees were paid for this business. It was desirable to see what was the amount of those fees received by officers of the Court of Chancery, or other places; for this department of business; and care should be taken that these should be revised from time to time. So much on this part of the subject—for no one felt more strongly impressed with the importance of inquiry than himself. He thought it was a scandal, when they abolished civil sinecures, that they closed their eyes to much greater sinecures held by persons of comparatively no station. They escaped attention because they were held by persons who had no claim to consideration. If they had been held by Judges, or by the clerks at the Table of that House, they would have excited attention, and these abuses would have ceased to exist with civil sinecures. In resisting the Motion as to inquiry into the past, he agreed with the hon. and learned Member for Bridport, that now they could not take away from those gentlemen this compensation. The hon. and learned Member said he thought it was impossible, after the lapse of five years, and after the proceedings that had taken place under the Act of Parliament, to do so, and, indeed, that it would be a reflection on the justice of Parliament to attempt such a thing. If that was the opinion of the hon. and learned Member, then surely inquiry was superfluous, and all that was requisite was, that they should provide a remedy for the future to prevent such abuses. He begged also the House to recollect, that the Lord Chancellor had given under this Act, in every case, the minimum of compensation. The Act stated, that he should not grant less than three-fourths of the annual value or emoluments of the office to be abolished; but he might give more. But the Lord Chancellor had resisted all temptation to do so, and in every case had given the minimum of allowance sanctioned by Parliament. What more could he do? His noble and learned Friend was not to blame in any of these cases. The Act of Parliament might certainly have passed rapidly, as they had been told ; but this arose from the circumstance that it received no opposition from the persons holding the offices to be abolished, who were satisfied with the liberality of the compensation proposed to them. He might say, with respect to all Acts of Parliament dealing with vested interests, that when parties did not feel themselves injured by them, they passed rapidly through. His noble Friend had taken every precaution, and adopted every proper proceeding with regard to the scale of retiring allowance ; and any Motion in any way invidious to his noble and learned Friend would be most unjust. For the future, however, on the part of the Government, he was prepared to promise his cordial support to any inquiry into the subject.

The House divided :—Ayes 65; Noes 80 : Majority 15.

List of the AYES.

Aglionby, H. A.	Gisborne, T.
Armstrong, Sir A.	Granger, T. C.
Baine, W.	Grey, rt. hon. Sir G.
Bannerman, A.	Hastie, A.
Baring, rt. hon. F. T.	Hatton, Capt. V.
Barron, Sir H. W.	Hawes, B.
Bellew, R. M.	Heathcoat, J.
Blake, M. J.	Heneage, E.
Blewitt, R. J.	Horsman, E.
Bouverie, hon. E. P.	Jervis, J.
Bowes, J.	Layard, Capt.
Brocklehurst, J.	M'Carthy, A.
Brotherton, J.	Maitland, T.
Browne, hon. W.	Marsland, H.
Buller, E.	Martin, J.
Busfeild, W.	Mitcalfe, H.
Butler, P. S.	Mitchell, T. A.
Christie, W. D.	Morpeth, Visct.
Colebrooke, Sir T. E.	Morris, D.
Collett, J.	Napier, Sir C.
Crawford, W. S.	O'Connell, D.
Divett, E.	O'Connell, J.
Duncan, G.	Ogle, S. C. H.
Dundas, F.	Ord, W.
Escott, B.	Parker, J.
Esmonde, Sir T.	Pechell, Capt.

Plumridge, Capt.	Wawn, J. T.
Powell, C.	Williams, W.
Romilly, J.	Winnington, Sir T.
Stewart, P. M.	Wyse, T.
Strutt, E.	Yorke, H. R.
Tancred, H. W.	TELLERS.
Thornely, T.	Watson, W. H.
Warburton, H.	Hume, J.

List of the NOES.

Acland, T. D.	Hope, G. W.
Austen, Col.	Hudson, G.
Baillie, Col.	James, Sir W. C.
Baring, rt. hon. W. B.	Jermyn, Earl
Baskerville, T. B. M.	Jocelyn, Visct.
Benbow, J.	Jones, Capt.
Berkeley, hon. G. F.	Kelly, Sir F.
Bodkin, W. H.	Lygon, hon. Gen.
Bowles, Admiral	Mackenzie, T.
Bramston, T. W.	Mackenzie, W. F.
Brisco, M.	McGeachy, F. A.
Bruges, W. H. L.	M'Neill, D.
Buller, C.	Mahon, Visct.
Cardwell, E.	Martin, C. W,
Carnegie, hon. Capt.	Maunsell, T. P.
Chichester, Lord J. L.	Meynell, Capt.
Clerk, rt. hon. Sir G.	Neeld, J.
Cockburn, rt. hn. Sir G.	Neville, R.
Corry, rt. hon. H.	Patten, J. W.
Cripps, W.	Peel, rt. hon. Sir R.
Davies, D. A. S.	Peel, J.
Douglas, Sir C. E.	Polhill, F.
Fellowes, E.	Richards, R.
Fitzroy, hon. H.	Rolleston, Col.
Flower, Sir J.	Seymour, Sir H. B.
Floyer, J.	Smith, A.
Gaskell, J. M.	Smythe, hon. G.
Godson, R.	Somerset, Lord G.
Gordon, hon. Capt.	Spooner, R.
Goulburn, rt. hon. H.	Stuart, H.
Graham, rt. hon. Sir J.	Sutton, hon. H. M.
Greene, T.	Thesiger, Sir F.
Grimsditch, T.	Trench, Sir F. W.
Grogan, E.	Trotter, J
Hale, R. B.	Villiers, Visct.
Hamilton, G. A.	Walpole, S. H.
Hanmer, Sir J.	Wellesley, Lord C.
Hayes, Sir E.	Wood, Col. T.
Herbert, rt. hon. S.	
Hervey, Lord A.	TELLERS.
Hodgson, F.	Young, J.
Hope, Sir J.	Baring, H.

House adjourned.

HOUSE OF LORDS,

Friday, May 8, 1846.

MINUTES.] PUBLIC BILLS. — 3ª and passed. Burghs (Scotland).

PETITIONS PRESENTED. By the Duke of Cambridge, and several other noble Lords, from several places, against the Charitable Trusts Bill. — From Poor Law Officers of Tewkesbury Union, praying that Provision may be made for the Superannuation of all Poor Law Officers.—By the Earl of Ripon, from Bradford, and several other places, for the Better Observance of, and for the Prevention of the Sale of Intoxicating Liquors on, the Sabbath.—From Ardudwy, and several other places, against the proposed Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—By the Bishop of St. David's, from Mayor, Aldermen, Burgesses, and Inhabitants of Carmarthen, that Means may be provided for Extending Education to the Poorer Classes in Wales.—By the Earl of Devon, from Mayor, Aldermen, and Burgesses of Exeter, praying that Means may be adopted for the Employment and Reformation of Discharged Prisoners.

RAJAH OF SATTARA.

LORD BEAUMONT presented a petition from the Vakeel of the Rajah of Sattara, praying for inquiry into the circumstances under which that Sovereign had been deposed and deprived of his liberty. He would not state any more on that occasion than this —that from 1818 to 1839, the Rajah was considered a loyal subject, and stricly maintained his engagements with the East India Company. Shortly after the last of these years a charge of conspiracy was brought against him by the Supreme Court of Bengal; but the accusations against him had never been proved, though he had repeatedly sought to be put on his trial with respect to them. With regard to another charge, he was treated in the same way; but instead of being allowed the trial which he courted, in order that he might prove his innocence, he was carried off in the dead of the night and committed to prison, where he was at present confined. The whole of his personal property had been since secured. He also presented another petition from a servant of the Rajah, declaring that his master had always been a loyal subject, and that he himself had been placed over a powder magazine, and imprisoned, before he consented to sign a paper, containing charges against the Rajah.

The EARL of RIPON had no particular answer to the observations of the noble Lord (Beaumont), and all he could say upon the subject was, that it had been fully considered in the Session of last year. It had been maturely considered by the Governor of Bombay, and been minutely examined by the Governor General in Council, and had received every attention from the late President of the Board of Control (Sir John Cam Hobhouse), who had gone most fully into the question; and it had afterwards been most maturely discussed by the Court of Proprietors of the East India Company; in fact, this subject had been under discussion at least sixteen or seventeen times; and the original decision had in every case been confirmed. With respect to the jewels of which the noble Lord spoke, they were not the private property of the Rajah, and had been, as the property of the State, handed over to the successor of the Government, with the exception of jewels, worth about two lacs of

rupees, which the Rajah had retained for his own private use. With respect to the purport of the second petition, which complained that insufficient evidence had been adduced against him, this was the first time that any such allegation had been made. He, himself, was not responsible for whatever had occurred, for the circumstances took place before he had anything to do with the office he now held, or, indeed, before the present Government came into power at all.

Lord BROUGHAM said, if their Lordships wished to have all the case before them, it would be necessary for them, in order to come to a right decision, to read the able and elaborate Report of Sir R. Grant, the late Governor of Bombay; from the perusal of that document he (Lord Brougham) came to the conclusion that the decision was just.

Lord BEAUMONT: The statement on which he laid particular stress was—without saying whether the Rajah was guilty or not—that it was considered he had not had a fair trial, from the manner in which it was conducted.

Petition read and ordered to lie on the Table.

House adjourned.

HOUSE OF COMMONS,

Friday, May 8, 1846.

Minutes.] Public Bills.—2°· Viscount Hardinge's Annuity; Lord Gough's Annuity.

Reported. Corn Importation.

3° and passed. Election Notices (Ireland).

Petitions Presented. By Mr. Forbes, from Commissioners of Supply for the County of Stirling, against the Joint Stock Banks (Scotland and Ireland) Bill.—By Mr. James, from Ratepayers of Middlesceugh, Braithwaite, and Culgaith, for Repeal or Alteration of the Lunatic Asylums and Pauper Lunatics Act.—By Mr. Acland, from Members of the Board of Guardians of Wellington Union, respecting the Examination of Overseers' Accounts.—By Sir John Rae Reid, from Officers connected with the Administration of the Poor Laws, in the Dover Union, for a Superannuation Fund to Poor Law Officers.—By Mr. James, and Captain Pechell, from Greenwich and Brighthelmstone, for Alteration of the Poor Removal Bill.—From Mayor, Aldermen, and Councilmen of the Borough of Newport, in favour of the Salmon Fisheries Bill.—By Mr. Home Drummond, from several places, against the Turnpike Roads (Scotland) Bill.—By Mr. Christie, from Mary Anne Tyler, of Wymswold, for Inquiry.—By Viscount Villiers, from Guardians of the Poor of the Banbury Union, for the Adoption of a Measure making Vaccination compulsory.—By several hon. Members, from various places, complaining of Refusal to grant Sites for Churches to the Free Church of Scotland.—By several hon. Members, from various places, for Better Observance of the Lord's Day.—By several hon. Members, from a number of places, against the Union of St. Asaph and Bangor Dioceses.—By Mr. Hawes, from several Building Societies, for Alteration of Benefit Building Societies Act.—By Mr. Bankes, and Mr. Fuller, from Guardians of Wimborne, Cranborne, and Newhaven Unions, for rating Owners in lieu of Occupiers of Tenements.—By Mr. Beckett Denison, from Doncaster, respecting the Reformation of Discharged Prisoners.

RAILWAY LEGISLATION.

Mr. HUDSON * rose, pursuant to the Notice he had given, for the purpose of moving that the following Clause should be inserted in all Railway Bills of the present Session, by which new companies are to be incorporated:—

"And be it enacted, that the directors shall, within three months of the passing of this Act, cause the names and additions of all the several corporations and persons entitled to shares in the company, to be entered in the 'Register of Shareholders,' directed to be kept by 'the Companies Clauses Consolidation Act, 1845;' and the said directors shall cause an extraordinary meeting of the shareholders in the company to be called within six months from the passing of this Act, for the purpose of considering and determining whether the company shall proceed in the execution of the powers of this Act, or whether such company shall be forthwith dissolved; and it shall be lawful for such meeting so called, at which three-fifths at least of such shareholders shall be present, either personally or by proxy, to determine either that the company shall proceed in the execution of the powers of this Act, or that the company shall be forthwith dissolved; provided that before such meeting be called, it shall not be lawful for the company or the directors to put in force any of the powers of this Act relative to the taking or using of land; and in case such meeting so called shall determine that the company be forthwith dissolved, the company shall be thereupon forthwith dissolved accordingly, except for the purpose of winding up the affairs thereof as hereinafter mentioned; and thenceforth all the powers of this Act with relation to the taking or using of land, or otherwise, shall absolutely cease and determine, anything herein contained to the contrary notwithstanding (subject, and without prejudice to all existing debts, liabilities, or agreements contracted or entered into by the company, and subject to the provisions hereinafter contained); and the directors, after full payment and satisfaction, in the first instance, of all the debts, liabilities, and agreements contracted or entered into by the company, and of such compensation as hereby provided, shall divide the residue or surplus of the moneys and effects of or belonging to the said company, rateably among the shareholders in the said company in proportion to their respective interests therein; provided, nevertheless, that the company shall make full compensation to all owners, lessees, and occupiers of land and others, in the same manner as is herein provided in cases of compensation for land required for the purposes of this Act, for all loss, damage, cost, charges, and expenses which they may respectively have sustained or been put unto in consequence of the proceedings of the company in obtaining this Act, or under any of the powers thereof; the amount to be ascertained, in case of dispute, by the verdict

* By error this Speech and Motion of Mr. Hudson was inserted in the report of April 30 (vol. lxxxv. p. 1326), instead of a short speech on the subject of "Railway Labourers," which will be found in the Appendix at the end of the present Volume.

of a jury, or by reference to arbitration, as herein provided in other cases of disputed compensation; and all corporations and persons to or with whom such debts, liabilities, or agreements shall have been contracted, or entered into, or who shall be entitled to any such compensation as aforesaid, shall, notwithstanding the determination of such meeting, have such and the same rights and remedies against the said company for the recovery and enforcement thereof respectively, as they would have had if no such meeting had taken place, and as if the company had continued to exist: And be it further enacted, that if the directors shall not within four months from the passing of this Act cause due notice of such extraordinary meeting to be given, it shall be lawful for any six or more of the persons entitled to shares in the said undertaking, holding in the whole shares or stock to the amount of at least 5,000*l.* to call such meeting by notice, signed by such shareholders, and published in the manner required by this Act with regard to extraordinary meetings of the company; and the proceedings of the meeting so called by such shareholders, at which three-fifths at least of the shareholders shall be present either personally or by proxy, shall be as valid, and shall have the seme force and effect, as if such meeting had been duly called by the directors; and for the purpose of winding up the affairs of the said company, in case such meeting shall determine on the dissolution thereof, it shall be lawful for such meeting to appoint a committee, consisting of such number of persons as they shall think fit, being shareholders in the company; and the directors shall forthwith transfer to such committee all documents, books, papers, and accounts of or belonging to the company, and shall also transfer to such committee all moneys, securities for moneys, and other effects and property of, or belonging to the company; and such committee, or the survivors or survivor thereof, shall forthwith proceed to wind up the affairs of the company, and shall, in the first place, convert into money such of the effects as shall not consist of money, and pay and discharge all the debts, contracts, and liabilities of the company, and subject thereto, and to the necessary expenses of such committee in the execution of their powers, the surplus of the said moneys shall be forthwith divided by such committee rateably amongst the shareholders in the company in proportion to their respective interests therein; and in the event of the directors refusing or neglecting to transfer to any such committee the documents, books, papers, and accounts, moneys, and other property and effects of the company, within ten days after demand, in writing, signed by such committee, or the survivors or survivor of them, and delivered to any one of such directors, or left at his last or usual place of abode, it shall be lawful for such committee, or the survivors or survivor of them, to pass a resolution that such company is desirous to wind up its affairs; and upon a copy of such resolution, signed by any one or more of such committee, being filed in the office of the Lord Chancellor's Secretary of Bankrupts, every such company shall be deemed to have committed an act of bankruptcy at the time of filing the copy of such resolution, and thereupon such proceedings shall be had and taken for the purpose of winding up the affairs of the said company as are directed in and by an Act passed in the eighth year of the reign of Her present Majesty, intituled, 'An Act for facilitating the winding up the affairs of Joint Stock Companies unable to meet their pecuniary engagements,' in the case of any of the acts of bankruptcy therein mentioned, being committed by the companies therein referred to: provided that notice shall be given by the directors, or such committee as aforesaid, if appointed, of the determination of such meeting of shareholders, to be called as aforesaid, with reference to the proceeding in the execution of the powers of this Act, or the dissolution of the company, in the *London Gazette*, and in one or more newspapers of each county in which the lands proposed to be affected by this Act shall lie, within fourteen days from the holding of such meeting: and at any such meeting to be held as aforesaid, the voting shall take place in the manner prescribed in the 'Companies Clauses Consolidation Act, 1845,' with reference to meetings of shareholders therein referred to."

In moving the adoption of that clause, the hon. Gentleman said that at the time he had first given notice of it, he was not aware of the intentions of the Government with regard to the steps that had since been adopted by them in reference to the winding up of railway companies; but upon a careful consideration of the Resolutions adopted by the House, he was still of opinion that the clause he then proposed was wanting. He must observe that before the deed could have effect, it should be signed by shareholders for the full amount of the estimated capital, so that it was even still in the power of the directors of any company to avoid putting the Act in force after it should have been obtained, by not allowing it to be completed. But the effect of his clause would be to compel the completion of the registration of shareholders, and thereby give to those parties who had signed the deed an opportunity of getting rid, if they should so think fit, of the liabilities to which they had thereby subjected themselves. The Resolutions passed by the House already had not provided for the class to which he referred. They had merely provided power for the scripholders to meet and decide whether they would or would not proceed with the undertaking. But the House should recollect that the scripholders might pass resolutions empowering the directors to proceed, whilst, as the law stood, the purchasers of scrip were not compelled to register it; and the original subscribers to the deed, however unwilling they might have been to go on with the undertaking, would remain liable, and might be called on to raise the money to complete the work when it would have been found to be an utterly unprofitable speculation. Some such clause as that he then proposed was absolutely wanting, no remedy whatsoever having been otherwise provided for the signers of the deed; and his object was to give to the

bonâ fide subscribers an opportunity of reconsidering their condition, and not only of reviewing their position, but of winding up the concern if they should think fit. A strong case in point, showing the necessity for such a power, occurred in the year 1836, when a great number of Bills for the formation of joint-stock companies were passed. The subscribers to the deeds sold their scrip; and after a lapse of two or three years, and long after they had thought themselves quite rid of their liabilities, they were called upon in the year 1839 to pay up demands of 30*l.* and 40*l.* a share, by which numbers were totally ruined.

Sir G. CLERK would confine his objections to the point of form. The hon. Member called this a clause; but in point of fact it was a new system of railway legislation, and it was quite impossible that this clause could be inserted in every Bill. He thought that the better course for the hon. Member would be to wait until the Bill which had been introduced into the other House by Lord Dalhousie should come down to the Commons; and he could then propose such amendments as he thought fit, or introduce another Bill, if he thought it necessary.

Mr. LABOUCHERE thought the proceedings of the hon. Member altogether unprecedented. It was attempting to do that by a clause which ought to be done by a Bill, if it were to be done at all. He would recommend the hon. Member to withdraw the Motion.

Mr. HUDSON thanked the right hon. Baronet (Sir G. Clerk), and the right hon. Gentleman (Mr. Labouchere) for their suggestions, and withdrew his Motion accordingly. His sole object was to relieve the subscribers to the contract deed from their liabilities, and to prevent a recurrence of the calamities and distress which he had seen in the years 1836, 1838, and 1839, consequent upon the want of some such provision. However, he was glad that Her Majesty's Government appeared to feel the importance of the matter, and he should be happy to hand the further proceedings in it over to Her Majesty's Solicitor General, whom he rejoiced to see in his place.

Motion by leave withdrawn.

LOUGHBOROUGH PETTY SESSIONS.

Mr. CHRISTIE wished to call the attention of the right hon. Home Secretary to the representations contained in the petition of Mary Anne Tyler, which he presented yesterday, and also to two other cases of extreme hardship upon individuals. The petitioner, Mary Ann Tyler, was charged at the Loughborough petty sessions, on the 16th of April, with using violent language towards another woman, of the name of Crooks, who applied to have Tyler bound in sureties to keep the peace. The magistrates, the Rev. John Dudley and Mr. Danvers, decided that there was no need to require sureties, and told the complainant that her remedy was by action; but they told Tyler to stand admonished, and adjudged that she should pay 1*l.* 18*s.* costs. They afterwards sent her to prison for fourteen days, with hard labour, for non-payment. The warrant of commitment states that she had "grievously annoyed and abused" the husband of the woman who made the complaint, "against the peace of our Sovereign Lady the Queen, her crown, and dignity." The Act of Parliament under which the costs were adjudged, the 18th George III., c. 19, was an Act "for the payment of costs to parties on complaints determined before justices of the peace out of sessions." Here there was no determination. The magistrates said it was not a case for them to decide. The second case to which he wished to call the right hon. Baronet's attention was that of Catherine Stubbs, who was charged on the 5th of March, before the Rev. John Dudley, the Rev. W. Acworth, and Mr. Danvers, with attempting to leave her master's service. She had not left her master's house, but had on her bonnet and shawl, when her master sent for a constable, and gave her into custody. Mr. Dudley told her that attempting to leave her master's service was a misdemeanour, and she was committed to prison, with hard labour, for two months. The Act of 4 George IV., c. 34, provided that—

> "If any servant in husbandry, or any artificer, calio-printer, handicraftman, miner, collier, keelman, pitman, glassman, potter, labourer, or other person, shall absent himself or herself from his or her service before the term of his or her contract shall be completed, or neglect to fulfil the same, or be guilty of any other misconduct or misdemeanour in the execution thereof, the magistrates might commit to prison, with hard labour, for three months, or in lieu thereof abate the whole or a part of the wages due to the offender."

There had, however, been a decision that the words in the Act did not apply to household servants. The girl, on being told that she was to go to prison, burst into tears, and said she had never been to prison and never would go there; whereupon

the Rev. Mr. Dudley proposed to send her for three months, but the other magistrates would not concur in that suggestion. The next case to which he would direct the Home Secretary's attention was that of James Jarvis, a pauper, aged seventy-five, who was brought before the bench for refusing to work at the pump in the Barrow-on-Soar union workhouse, and was committed to prison, with hard labour, for twenty-one days. He had previously been on the refractory diet in the workhouse. The warrant of commitment had the signature of the Rev. W. Acworth. who acted as chairman of the board of guardians at the meeting at which this pauper was sent before the magistrate. On Jarvis's committal to prison, the surgeon ordered him not to be put to the wheel on account of his age. He was soon after taken ill, and died before the term of his imprisonment expired. He wished to ask the right hon. Baronet whether his attention had been directed to the first two cases, and whether it was his intention to institute any inquiry into the conduct of the magistrates? And also whether the last case had been brought under the notice of the Poor Law Commissioners, and if so, whether they intended to investigate the circumstances?

SIR J. GRAHAM: The first case referrod to by the hon. Member for Weymouth, that of Ann Tyler, was brought under my notice before the hon. Gentleman presented a petition on the subject. I made strict inquiry into the circumstances, and I was satisfied that the conviction was illegal, and I immediately despatched an order for the prisoner's liberation. I have since informed the magistrate that the conviction was illegal; I have stated to him strongly that his conduct appeared to me highly reprehensible, and that, if such conduct were repeated, it would be my duty to bring it under the special notice of the Lord Chancellor, with a view to his dismissal. The second case—that of a female servant committed for a breach of the laws relating to masters and servants —was not brought under my notice till yesterday, when I received a communication on the subject from the hon. Gentleman. I immediately made inquiries into the case, but I have not yet received an explanation. With regard to the last case, I have called the attention of the Poor Law Commissioners specially to it, and they will institute an inquiry into the circumstances.

CORN IMPORTATION BILL.

The Corn Importation Bill was reported. On the Question that the Amendments made by the Committee be now read a Second Time,

SIR C. BURRELL said, that as he had, by severe indisposition, been prevented from expressing his opinion on the Corn Law Bill in its earlier stages, he trusted the House would bear with him whilst he briefly stated his objections to it, and his reasons for moving that the Report be taken into further consideration that day six months. He opposed the measure, because he believed its adoption would interfere with the profits of labourers of all classes, whether agricultural or manufacturing. It had been said by the right hon. Baronet at the head of Her Majesty's Government, during the progress of the debate, that the prices of labour would not be affected by the admission of foreign corn; but long experience and observation as a landholder proved to him that this was erroneous, for whenever the price of wheat and other farm produce was low, the want of fair profit for capital, industry, and skill to the farmer, created a necessity for not only reducing the wages of his labourers, but, what was a more serious evil, reducing their number, and this particularly in the winter months. There was an old saying, that "it is wise to let well alone;" and he asked whether the condition of the country had not been prosperous, before this unexpected change in the opinions and conduct of Her Majesty's Ministers with respect to that protection to agriculture which had been deemed necessary by the wisdom of preceding statesmen, from the time of Edward III. up to the present period? He denied that the partial loss of the potato crop in Ireland offered any sound ground for applying as the remedy, a general and permanent alteration of the Corn Laws to meet a partial and by no means a general evil; and much less was there any justification for the cry of famine, when it was well known that Ireland never had so prosperous a harvest of every description, with the exception of a partial failure of the potatoes in some parts of that country; while in a great proportion good crops of sound potatoes had been grown, as he had been well assured by correspondents and persons well acquainted with the facts. He must say, that if just grounds existed for the fear of a scarcity of food from the partial failure alluded to, the opening of the ports of that

country, and the prevention of the export of its provisions, would have been the best and speediest method of averting the evil professed to be apprehended, instead of importing a few ship-loads of maize as a means of relief. But while the alarm of famine was raising the prices, what was passing? Why, immense supplies of oats, of wheat, and of flour, were constantly sent to Liverpool and other English ports, instead of being reserved on the spot—with a saving of the cost of conveyance—for the assistance of the population in Ireland wherever distress for provisions prevailed. If Gentlemen would refer to the low prices of labour in foreign countries from whence supplies of wheat might arise, hey could not deny that these labour prices were the results of low farm profits; and he begged the attention of the House while he stated the prices of labour in some of the countries alluded to, from a document in his hand:—In Spain, the abour wages per day were 7*d.*; in Portugal, 7*d.* also; in Russia and Poland, 5*d.*; at Odessa, 4*d.*; and in Germany and Denmark, 9*d.* per day. Would any Gentleman venture to deny that if imports of foreign corn drove down the profits of British agriculture, that, *pari passu*, the wages of farm labour must inevitably fall in due proportion? And the same fall which affected the agricultural labourers would as inevitably follow and affect the manufacturing operatives. Why, in the earlier periods of free-trade discussions as to wheat, the free trade and Anti-Corn-Law party stated that they could not compete with the low prices of continental labour; an assertion which, if it had any meaning, implied a desire to reduce the wages of the operative by reducing the profits—the fair profits—of the farmer, by cheapening his produce, and especially bread corn; for no one would venture to entertain so absurd an idea as that the Anti-Corn-Law League desired to raise the wages of the foreign labourers to the same or nearly the same rates as those paid in this country. He felt that, considering the peculiar burdens on land, such as the land tax, and the taxes on its produce of hops and barley for malting purposes, not forgetting the poor rates, the church rates, the highway rates, and county rates, chiefly, if not wholly, borne by the land; the land and its cultivators had just and equitable claims to protection against foreign untaxed corn; and if grounds for that opinion were wanting, he might quote the former expressed sentiments of the right hon. Baronet and those of the right hon. the Secretary for the Home Department; but, without dwelling thereon, he would turn to the recorded opinions of two deceased and distinguished statesmen, to whose liberal opinions no exception could be taken justly by any party in the House. He alluded to Mr. Canning and Mr. Huskisson. In the speech of the former, in March, 1827, he said—

"As to the mode, amount, or degree of protection, many questions may arise; but to the principle that some protection is due, I have never heard an objection raised."

In the address of the latter to his constituents at Chichester, he said—

"I admit that if unlimited foreign import, which the war suspended, were now again allowed, bread might be a little, though very little, cheaper than it now is for a year or two; but what would follow? The small farmer would be ruined, improvements would everywhere stand still, inferior lands now producing corn would return to waste; the home trader and shopman would lose the briskness of retail trade, and while their stocks increased their customers would fall away; and farm-servants and all trades depending on agriculture would lose their employment, and the necessary result of want of work would be, that wages would fall even more rapidly than the price of bread. Then comes some interruption to foreign import, coinciding with the decay of agriculture at home, and corn would be suddenly forced up again to a famine price. Such, I conceive, would be the inevitable consequence of again placing ourselves in a state of habitual and increasing dependence on foreign supply. Let the bread we eat be from home-grown corn, and the cheaper the better. It is cheap now, and I rejoice at it; but, to ensure continued cheapness, we must ensure to our own growers that protection against foreign import which has produced these blessings, and by which alone they can be permanently maintained."

Who, then, could be surprised that with such great authorities and such examples, his hon. Friends and himself should object to a dangerous theoretical change in the protective principles, applied not to agriculture alone, but to other industrial interests in this country? The Anti-Corn-Law party had called in question the disposition to improvement in agriculture. For the injustice of such a charge he appealed to the knowledge of every one acquainted with the subject, whether vast sums had not of late years been laid out in under-draining, an improvement to which he could speak practically, as having thorough-drained above 800 acres of land with such benefit, that he now—to speak within compass—had grown an average of eight sacks of wheat an acre, where previously five sacks were considered a good crop. Again, in the article of guano, un-

known in this country till within four years, there had been imported as follows:—

Tons.		£.
100,000	of African guano, at 8*l.* per ton, costing ...	800,000
37,000	of Peruvian guano, at 12*l.* per ton, costing .	444,000

Total 137,000 tons, costing ..... £ 1,244,000

Creating a great increase of food, and much additional beneficial employment to our shipping. With these undeniable proofs of the increased spirit of agricultural improvement having been recently carried out, the House would not fail to see the injustice of any accusation of supineness against the agriculturists. A great injury was likely to arise to the warehousing interests from the discovery that by matting the sides of the Baltic ships, and loading them with well-dried wheat, so as to sail for British ports before the severe winter frosts put a stop to northern navigation, and reaching England, they discharged not their corn till a favourable moment, having the power of keeping it in good condition for four or five months; a practice which, while evading all warehouse charges, and depriving the people of their usual employment, could not be adopted by our shipowners, having the opportunity of carrying freights generally all the winter, and more especially as the wages and provisioning of their crews were considerably higher than those of the sailors from the Baltic. In conclusion, the hon. Baronet expressed his utter astonishment that any cause should exist to turn the attention of Irish Members from the benefit, approaching to monopoly and peculiar to Ireland, of having all the English and Scotch ports open to their importations of spare agricultural products, an advantage not formerly enjoyed, and from which Ireland had greatly benefited, and the loss of which, by the proposed measure, could not but be soon felt by the Irish farmers as a most serious deprivation of a peculiar and exclusive advantage. With these opinions, founded on observation and many years' practice as a farmer, he had no hesitation in considering himself entirely justified in acting upon these opinions, and in opposing the proposed measure as being fraught with injury to all descriptions of industrial interests.

COLONEL VERNER would not have considered it necessary to have trespassed on the time of the House for one moment, had it not been that he observed so few Members from Ireland, particularly those representing counties or agricultural districts, take part in the discussion; and he feared from their silence it might be supposed that the gentry and farmers of that country were either indifferent or favourable to the measure now before the House. He did not now rise with the presumptuous idea of considering the measure as it might affect the country at large, and all our complicated interests. He wished merely to express the alarm which it was natural to feel when one contemplates an experiment, such as must make a total change in the financial system of a country burdened with such a debt as ours—a country, which hitherto relied mainly on its agricultural resources for a permanent provision to meet its wants, and which was now to see those resources very possibly rendered insecure and unavailing. But there was a topic of a more limited nature on which he could speak with something like the authority of a witness. The perilous effects of this measure upon the nation at large had been already fully and ably described to the House. He would speak of the effect that would be produced by it in the part of the country where he resided, in his own neighbourhood, and upon his own property, and of this he felt it to be his duty to speak. He complained of the effect this hazardous measure would have upon a class of persons whose case he much feared had not met with the consideration it deserved: he meant the farmers and agricultural labourers in Ireland. It was thought by some that a reduction of rents would set them at ease; but those who made use of such an argument were little acquainted with the condition of landlord and tenant in various parts of Ireland. Occupying tenants had at this moment an interest in their holdings, which they would lose by the withdrawal of agricultural protection—and it was not to be expected that landlords opposed to the measure, and sufferers from it, should make good their losses. He did not believe there was a tenant holding directly under him—and he believed the same thing prevailed pretty generally throughout the province of Ulster—who could not have obtained, had he been disposed to part with his farm a few months since, a high rate of purchase, not less than ten pounds per acre from his successor. He would ask, who would become the purchaser when that Bill became the law, and who would remunerate the tenant who had, perhaps, expended his little capital in the purchase

of the farm himself, and in cultivating and improving his land, upon the faith that protection would not be withdrawn? Most assuredly not the disabled proprietor. These were some of the grounds upon which he strongly objected to the passing of the measure. Its effects on the country, in common with those who had so ably exposed them to the House, he dreaded; but, for himself personally, he was disposed to bear them without complaint. He felt, as every person must feel, what he believed to be a national calamity; and he felt for the effect it must produce upon the fortunes of men who had, until now, a profitable interest in their holdings—who enjoyed some of the comforts and partook of the feelings of the proprietors, and who were enabled to share with their farm labourers some of the comforts they enjoyed themselves. The measure before the House, if it passed into a law, must create a new order of things. It would not merely deprive the great of affluence, but it would abridge the comforts of the poor: it would take away from a substantial yeomanry all feeling of independence; it would place the whole tenantry of Ireland on the comfortless level of the rackrent system; and it would reduce the condition of the agricultural labourer, who must sink as the classes immediately above him descended. If for these reasons alone, he should feel it to be his duty to oppose the measure; but if the right hon. Baronet was disposed to obtain the consent of the farmers, he would recommend his allowing them to dispose of the produce of the land upon the true principle of free trade. Give permission to the farmer to malt his oats and his barley, which would enable him to compete with the manufacturer, and in this way the right hon. Baronet ought, perhaps, to a certain extent, to reconcile them to the Bill. He could not sit down without joining with those hon. Members who had expressed their regret that the measure had not come from the opposite side of the House—that it had not been brought forward by the noble Lord the Member for London or indeed by any hon. Member except the right hon. Baronet, because he could not divest himself of the feeling that the right hon. Baronet had betrayed those friends who had stood true to him for so many years. He could not avoid expressing his very great disappointment at the course the right hon. Baronet had taken. He ought, perhaps, to feel it more sensibly than many others, but he would state the reason why. It had been his good fortune in early life to have seen much of the right hon. Baronet. At the time that the right hon. Gentleman filled the office of Chief Secretary for Ireland, he was serving on the staff of the then Lord Lieutenant of that country, the late Duke of Richmond—a nobleman universally beloved and deservedly esteemed—whose kindness to him had made an impression which could never be effaced from his recollection but with his life. It was at that period he had frequent opportunities of meeting with, and hearing the opinions delivered by the right hon. Baronet, and always with increased delight. He had been brought up a soldier: the greater part of his early life had been passed in the service of his country, at home and abroad. He did not pretend to any extensive acquaintance with public matters, and he felt much satisfaction to think that he should find, when he entered Parliament, a person to whom he could, with confidence, look for guidance and direction. In 1832 he obtained a seat in Parliament—two years afterwards the right hon. Baronet made this declaration, that, "he would not accept power on the condition of declaring himself an apostate from the principles upon which he had hitherto acted." He considered this conclusive. He had often heard the right hon. Baronet express those principles from which he had declared he would never become an apostate, and he at once enlisted under the right hon. Baronet's banner. For thirteen years he served the right hon. Baronet faithfully; and was it not too much to expect at the end of that period, when the right hon. Baronet had hoisted the standard of the enemy, that he should join him in fighting under it? He could not. As well might the right hon. Baronet expect him, to desert the colours he fought under at the battle of Waterloo. The right hon. Baronet had told the House, that it required three years before he could make up his mind to advocate this measure; and yet the right hon. Baronet called upon his supporters to change their opinions in as many weeks. He admitted that generally every person had a right to change his opinions; but even to this rule there were exceptions, and in his judgment, the right hon. Baronet was one of these exceptions. The right hon. Baronet was, or had been the leader of a great party for many years, and he thought it was due to that party to be informed by the right hon. Baronet when the change had taken place in his

sentiments. In the observations which he had felt it his duty to make, he begged to say, that he was not presuming to pass a censure upon the right hon. Baronet's conduct. He had no doubt the right hon. Baronet felt that he was fully justified in the course he had taken; but he felt called upon to stand up in his own defence in these times, when so many and so great changes had taken place. He wished to take the opportunity of showing that he had neither abandoned his principles nor forfeited his character for consistency. So much had been said upon the subject of the state of Ireland with regard to the alleged failure of the potato crop, that he felt himself called upon to say a few words upon that subject, although he had, upon a former occasion, stated to the House what he, from his own knowledge, felt he was justified in stating. He then told the House, that although he had no doubt distress prevailed in many parts, yet that there was in the country abundance of provisions to supply the wants of all—that the potato crop, divested of the diseased portion, was still an average crop; and that there was more grain of every description in the country at that season of the year, the month of March, than had been for several years previous. In confirmation of this assertion, he would ask leave of the House to read an extract from a letter he had received from a gentleman in the county of Armagh a few days after he had made his statement to the House. The letter was to this effect:—

"You are perfectly correct in your statement to the House relative to the large stock of provisions in this country at present; and what may appear rather strange is, that potatoes are now cheaper in this neighbourhood than they have been for the last four months."

This letter was dated 26th of April. He would now ask the permission of the House to read a portion of a paragraph from a highly respectable and widely circulated provincial paper, the *Newry Telegraph*, which reiterated his words, although the paper was published before the sentiments could be known in Ireland which he had expressed in the House:—

"No doubt there is, to a certain extent, a deficient stock of potatoes; and the price of the esculent is higher than has been the case, of late, at the same period of the year. But we assert that it is a fact which cannot be controverted, that there are at this moment in the pits of the farmers, generally, large quantities of potatoes of excellent quality. We assert further, that, as compensatory for the deficiency of potatoes, there is in the surrounding country a stock of wheat, oats, and barley, more abundant, by far, than the farmers have ever before been known to have on hand at this advanced period of the season. Moreover, we assert, and can prove from indisputable data, that, considering the effect the panic might naturally be expected to have on the markets, for all descriptions of food, the present cost of provisions, as compared with the prices this time last year, does not at all warrant the assumption upon which those proceed who cry out that famine is impending. Here are positive facts:—First, as to bread:—In the *Newry Telegraph* of Saturday, the 19th of April, 1845, the market-note for the week shows the average weight of the sixpenny loaf to have then been 3 lbs. 12 oz. The market-note for the week ending Saturday last, the 18th of April, 1846, shows the present average weight of the sixpenny loaf to be 3 lbs. 4 oz.. Next, as regards oatmeal—From the same source we find, that in the Newry Mills, this time last year, oatmeal was 12s. 6d. per cwt.; and its present price at the mills is 16s. per cwt. Then, with respect to flour—We quote, from our file, the market-note for the date already mentioned, April 19, 1845:—'Prices of flour at Newry Mills—First flour, 15s. 6d.; second, 14s. 6d.; third, 12s. 6d.; fourth, 8s. 6d. From our market-note of last Saturday, April 18, 1846, we find that the present selling-price of the same articles of food are as follows:—'Prices of flour at Newry Mills—First flour, 18s.; second, 16s.; third, 13s. 6d.; fourth, 11s.'"

He would merely observe, that there could not have been any very great distress in Ireland, when flour was only 1*s.* 6*d.* higher in price on the 18th of April, 1846, than at the same period in 1845. He would only trouble the House with one quotation more; it was from a letter he had received yesterday from a gentleman in Dublin, and was as follows:—

"The Indian meal is nearly as dear as our own in Dublin. It is bought chiefly as a curiosity to taste what sort of thing it is. . . . . One friend of mine, resident in Kerry, informs me, that the price of potatoes have fallen nearly one-third, and that the chief cause of the hitherto high prices in his quarter (Dingle) was, that persons who had them were holding them over for the highest price."

He had only now to say, that he was happy to be able to produce authority to bear him out in the statement he had made—of the correctness of which he was fully assured when he made it, as he had never asserted anything before the House that he did not know to be perfectly true.

SIR W. JOLLIFFE would willingly have listened to any Member of the opposite opinions; but the matter under debate was of such importance (perhaps, indeed, the most important of any on which he should ever speak), that he was induced to offer some observations upon it, although there were many present who were much better able than he was to speak on this occasion. It was painful for him to have to reflect on the conduct of Ministers in whom

he had once placed confidence. But however he might respect them as individuals, he felt for their conduct in this matter the most decided disapprobation. The right hon. Baronet at the head of the Government had usurped the leadership of the party hitherto championed by the Member for Stockport; and it was to be wished that the right hon. Baronet in assuming that position had adopted the straightforward tone, and taken up the high ground which had been aimed at by his predecessor in the leadership of the Anti-Corn-Law party. It would have been far more creditable to the right hon. Baronet had he at first declared that opinion which he had recently avowed, that the Corn Law was as unjust as impolitic. It would have been far better had the right hon. Baronet openly avowed that opinion at the outset of his Anti-Corn-Law career, instead of affecting to rely on the potato failure, to which this measure had really never any application; for free trade could not, in all its glory, prevent the distress which now existed. It was as deeply to be deplored, therefore, that the right hon. Baronet should have brought forward such a measure on grounds so low, and arguments so inadequate and inappropriate. It was in vain for the right hon. Baronet to make eloquent speeches, delivered with the greatest effect, and in beautiful perorations to call on the agricultural Members voluntarily to sacrifice all the advantages they had enjoyed under the present protective system, and to reap the rich harvest of self-approbation for such an act of "duty," as he described it to be. But they could see no advantage, still less "duty," in abandoning what they deemed to be right and just. They believed the Corn Law had emanated from the wisdom of Parliament, and had effected the distribution of food in a manner beneficial to all parties. Nor could they conceive whence they could expect the satisfaction the right hon. Baronet promised for its repeal. They considered, on the contrary, that the right hon. Baronet was prejudging the case in accordance only with novel notions of his own. The right hon. Baronet, it would seem, had now adopted all the dogmas of free trade; of which the three principal were — 1. That it was the only sound political economy to buy in the cheapest and sell in the dearest market; 2. That cheapness and abundance (or cheapness, or "abundance") constitute the real prosperity and happiness of a people; and, 3. That national prosperity was not possible under a system of protection to native produce. Now, as to the first of these principles, it might be well enough, if it could only be practically carried out, which it could not possibly be; and the right hon. Baronet himself had not attempted to satisfy the House, that by any probable extension of commercial intercourse such a principle could be carried into operation. As to protection being incompatible with prosperity, he would advert to a passage in a letter of the right hon. Baronet, which appeared on the 16th of February last, in which the right hon. Baronet said (addressing one of his constituents :—

> "It is my earnest hope and belief, that the measure I have felt it my duty to propose to Parliament, will contribute to the welfare of the country. We certainly have not prospered under a protective system."

Now, on that very day, the 16th of February last, the right hon. Baronet made a remarkable speech in Parliament, in which he dwelt upon the greatly increased prosperity of the last three years, and had used these remarkable words: "Look at your physical advantages! Look at your acquired advantages! You have ten times the capital and ten times the skill of any other nation in Europe." How the right hon. Baronet could reconcile that statement with his previous assertion, that "we had not prospered under a protective system," was as utterly inexplicable as any thing that had occurred in the course of recent events. In reference to the other great dogma of free-trade philosophy, that cheapness and abundance (or cheapness or abundance) were identical with national prosperity—he (Sir W. Jolliffe) denied it to be so sweepingly and generally true; and declared that experience in a great degree disproved it. Without adverting to any more distant authorities on this point, he would refer to the months of January, in 1846 and 1845. It had so happened, that at the former of those periods the price of corn had been unusually high, while at the latter period it had been rather low. Now, he could state that in the district which had come under his own observation, there was a marked increase of prosperity in January, 1846, when corn was high, as compared with what had existed in January, 1845, when corn was low. In the latter period the wages were as low as prices; and the farmer paid as little as possible every week to the labourers—the re-

sult, of course, being great distress, which, however, had happily passed away. When the price of corn was rising, the farmers could expend more money in the employment of labour. Nothing could more plainly prove this than the state of the union workhouses at the respective periods referred to; and on this account he had moved for some returns on that head, to which the Government had with apparent readiness assented, but which (though a long period had elapsed) had not yet appeared, nor could he conceive any reason for the delay. But he knew that the returns in question would have demonstrated the truth of the arguments he was enforcing. He could give one or two instances, however, without troubling the House by going into a greater detail. In January, 1846, in the union workhouse of Newbury (Berks) there were ninety-six persons less than at the corresponding period of the preceding year, out of a number of only 320. So, in the union workhouse of Reigate (a union of which a right hon. Gentleman on the Treasury bench was chairman) there were eighty paupers less in January, 1846, than in January, 1845, out of no larger a number than 260. The right hon. Baronet had talked of an imaginary line drawn from Inverness to Southampton, as marking out the division between the productive and comparatively unproductive portions of the country, and had assigned the eastern portion to the wheat growing farmers, who were described of little consequence in a national point of view. Now he belonged to this eastern half of the kingdom so intersected by this imaginary line, and so did those whom he represented, and with whom he was connected; and though they, the wheat growing farmers, might—albeit that they raised many millions of wheat every year—be deemed an unimportant class of the community by political economists, they had some merits to which the people of the other (the westerly) portion of the country could not lay claim. These wheat growing farmers gave their labourers 10*s.* or 12*s.* a week; while those of Wilts, Dorsetshire, and Devonshire, gave only 7*s.* or 8*s.* The right hon. the Secretary at War had read a letter from an exceedingly experienced and scientific Wiltshire farmer, who declared that the price of wheat had never to his knowledge affected the rate of wages, and that, though he had sold wheat as low as 40*s.*, and as high as 78*s.*, he had never made more difference in the amount of the wages he paid, than from 7*s.* to 8*s.* While the farmers, whom he derided as too dependent upon their wheat crops, at all events had the satisfaction of reflecting that they were not influenced in their dealings with their labourers by the principle thus acted upon by the Secretary at War's farming friend. The wheat growing farmers, when they had the money, never grudged their labourers a fair rate of wages; and when wheat reached a remunerating price were far from desiring to reduce and were rather ready to increase their employment of labour, well aware that such investment of capital must be ultimately advantageous. He felt as deeply as any Gentleman on the Treasury benches, that the greatest security for the prosperity of the agriculturists was to be sought for in the general welfare of the community. But he would not consent, that for the welfare merely of the manufacturers, the interests of the producer of food should be sacrificed. He sincerely hoped that the anticipations he had formed as to the effects of these measures would not be realized. But he was so convinced that they were wrong, and that they were fraught with the most imminent peril to the best interests of the Empire, that he could not but give them the most determined opposition. He never could—for party, or for any other purposes — give them that sort of semi-support which some Members had (he was sorry to say) given. He could not be content with the easy excuse, that "the country must be governed"—and that some species of assent to these measures was therefore necessary on the part of agricultural or Conservative Members. He called to mind a declaration of the Chancellor of the Exchequer on a recent occasion—"that to support a measure of which he did not approve, would be as unworthy of him as a Gentleman, as discreditable to him as a Minister." He cordially concurred in the sentiment. It was one in accordance with which he felt bound to act, and such was the course he should on this occasion pursue in giving to this measure his most strenuous opposition.

MR. BANKES concurred entirely in the sentiments of his hon. Friend who had just concluded his observations. But he rose more particularly to express the sincere and warm gratification which he felt in listening to the observations of the hon. and gallant Member who preceded him—the hon. and gallant Member for Armagh (Colonel Verner), who had delivered a

speech in reference to the present state of Ireland which he must assume to be in accordance with the truth, inasmuch as the noble Earl the Secretary for Ireland, though sitting in his place, had not offered any contradiction to that speech. They had hitherto, in the discussion on this question, been without the advantage of the presence of one so capable as the noble Earl of giving information, and it might appear that they had been alarmed to an unnecessary degree in consequence of the absence of that noble Earl, and from the circumstance that there had been addressed to the feelings of the House arguments which would not have been offered if one with the information which the noble Earl possessed had been present to refute them. They were now told by the hon. and gallant Member who had so lately visited that country, of which he was so great an ornament, that the distress, though severe in some parts, was far from being general, and that the measures which had been unfortunately adopted by Government, had greatly increased the evil, by creating alarm, and inducing persons who had potatoes to dispose of to keep them out of the market, in the hope of obtaining at some future time a better price. And now, when the real nature of the scarcity was ascertained—when they heard from those capable of giving correct information, that the evil was far below the alarm—that those who had hoarded stores were now bringing them forth, and that prices were falling, the noble Lord the Secretary for Ireland offered not one word in contradiction to the statement. It was now their happiness to be relieved during the remainder of that factious debate from that which had pressed most severely upon their feelings during the previous portions of it—the assertion which had been so frequently hazarded against them—that, by the delay which they had interposed to the progress of the present measure, they were starving the people of Ireland. And though they had assented, and readily assented, to the proposition made from the other side to give at once that relief, if relief could have been given by the measure proposed, they had been met by sarcasm. But now all difficulty of that nature was at an end, and they must trust in Providence that the fear of famine no longer existed. During the course of these discussions reference had been made to the year the events of which corresponded most nearly to the crisis alluded to. The year 1822 had very properly been referred to on various occasions. But they had always been told by the right hon. Baronet at the head of the Government that the analogy between these two periods was not nearly so close as was supposed, and that though there were local failures in 1822, there was nothing to be compared to the scarcity of the present year. They had now reached nearly the middle of the month of May, and he held in his hand a statement which had reference to precisely the same period in 1822. It was an account of the state of Ireland on the 10th of May, 1822, delivered in the House of Peers by Earl Darnley. The noble Earl stated on that occasion that he held in his hand a letter from a gentleman in the county of Clare, in which the writer stated—

"That the distress here is beyond all description, and there is nothing but starvation in every corner of the county. What is to be thought of the conduct of the Ministers who told them that in one part of the United Kingdom superabundance was the only complaint, while in another the people were starving."

Such was the state of Ireland as described by Lord Darnley. A few days after this statement was made, the condition of the poor in Ireland was more calamitous than ever; and the hon. Member for Midhurst said in the House of Commons, in the middle of June, that—

"In the county of Clare there were now 99,639 persons subsisting on charity from hour to hour. In Cork, there were 132,000 individuals who must perish with hunger if they did not receive relief."

He was far from saying that, because there was great misery and distress in 1822, they ought to be insensible to anything like the distress of the present year. But he must say it was gratifying to see how the calamity of 1822 was met by the great and generous efforts of the people of this country—300,000*l.* was raised by voluntary subscription, and transmitted to Ireland. The Speech of His Majesty from the Throne on the 6th of August of that year, would show that the distress had been pretty general in Ireland, for it could not be supposed that Ministers had made His Majesty say anything inconsistent with the truth. His Majesty, in proroguing Parliament, said—

"The distress which has for some months prevailed in considerable portions of Ireland, arising principally from the failure of that crop upon which the great body of the population depends for subsistence, has deeply affected me. The measures which you have adopted, seconded as they have been by the spontaneous efforts of my people, have

most materially contributed to alleviate the pressure of this severe calamity."

Such was the language of the Sovereign at the close of the Session. To complete the history of that period, he would next read a Speech delivered by His Majesty on opening the Session of 1823. It was to this effect :—

"The provision which you made last Session for the relief of considerable districts in Ireland, has been productive of the happiest effects."

Such was the history of the distress in 1822. He thought he had proved that the distress of that period was not what the right hon. Gentleman would have led them to suppose. And how was that distress met? The Minister of that day did not think it necessary, in order to relieve that distress, to alter the whole commercial and financial policy of the kingdom; nor did he run counter to the opinions of those who had always followed him. It was not by pursuing such a course that the Minister of that day provided for the difficulty, and led to the result referred to in His Majesty's Speech from the Throne. He maintained that the distress of 1822 was considerably greater than that of the present year; and he felt sure, if the Ministers of the present day had appealed in the same way that the Ministers of 1822 had done to the generous feelings and liberality of the people, they would have been perhaps even more successful, and would have obtained a still greater sum for the relief of the distress in Ireland. There was another course which the right hon. Baronet might have pursued, and which had occurred to him, and which they had never heard explained why he had not adopted, viz., of meeting Parliament in November. If they had done so, they might then have passed those measures for the employment of the people of Ireland, which was all that they required, for he believed they had no desire to live on the generosity of others, if they could procure employment. He had never heard it explained why that course which did occur to the right hon. Baronet was not pursued. He had never heard any reason why that course was abandoned. The right hon. Baronet had told them that he had submitted two proposals to his Cabinet, and that the Cabinet disagreed with him on both. But the Cabinet afterwards rallied round him; and how came it that neither of these two courses was adopted by the reconstructed Cabinet? One of these proposals was the opening of the ports, and the other the calling together of Parliament. They had been told by Irish Members throughout the whole of that debate that employment had been granted to the people too late—that the funds which had been so liberally set apart for the employment of the Irish people had not yet been received by them, and that, consequently, the distress, such as it was, continued to exist. But if the Minister had adopted that course which did occur to him, and had summoned Parliament at an earlier period, employment would have been secured to the people before the pressure of want came upon them. He was not there to deny that there had been want. [The Earl of LINCOLN: Hear.] The noble Lord had found his voice. That was what he wanted. As a Member of that House he had a right to require the noble Lord to tell him what was the real state of Ireland. He was far from venturing to hope that the noble Lord would be able to say that the whole of Ireland was in that state of prosperity in which that part of it was which the hon. and gallant Member for Armagh had referred to; but the noble Lord had not contradicted the statement of the hon. and gallant Member, and the inference was that he acquiesced in it. In the debate the other night the hon. Baronet the Member for Waterford propounded an extraordinary remedy for the distress of his country. The hon. Baronet said that the farmers in Ireland should give up corn-growing, and turn their land into pasture, as that was the most profitable mode of cultivation for the landlords. Perhaps that might be best for the landlords, but their question was what would be best for the people. The hon. Member for Waterford was, no doubt, well read in the history of the Empire, and was aware that that was a subject which at different periods had been most anxiously considered in this country. For nearly 100 years the Statute-book contained proofs of the anxiety which had been felt by the rulers of this country with regard to that very alteration which the hon. Member seemed to think would be productive of so much benefit to Ireland. A wise, an indisputably wise, king, the first of the Tudors, Henry VII., had directed his attention to this point, and in the Statute-book of the fourth year of his reign he found a statute against putting of land out of tillage, which set forth that great evils had arisen in consequence of laying out in pasture land which had been used in tillage, for where in some towns 200 persons had been occupied by their lawful

labour in cultivating the soil, there were now kept but two or three herdsmen. Such would be the result of the change which the hon. Baronet the Member for Waterford recommended; the land which, under tillage, gave employment to 200 persons, would, in future, only employ two herdsmen, one per cent of the former population. If this were a landlord's question, the hon. Member might be right in advocating such a change; but if it was a question affecting the people, then he would advise the hon. Member to keep his lands in tillage, for by that means would he be able to find employment for the population. The population might, no doubt, be maintained by other means; but such a result was not to be desired, and was that which the wise king to whom he alluded foresaw, and against which he attempted to provide. It would appear, however, that his endeavours to restrain the converting of tillage into pasture had not been entirely successful, for the enactment was renewed in the reign of Edward VI., and again repeatedly in the reign of Elizabeth, until it became necessary to pass the Poor Law of Elizabeth, and the people were fed by bounty and not by their own free labour. Such was the result of the change from tillage to pasture, as proposed by the hon. Baronet the Member for Waterford. He would recommend, therefore, the hon. Baronet to reconsider the question, and he had no doubt that he would perceive that it was not so much a landlord's as a labourer's question. If it should ever be necessary to enforce the Poor Law of Elizabeth in Ireland, it might be in consequence of a state of things similar to that which had existed in England—viz., want of employment for the labourers. Before they proceeded to any further stage with the Corn Bill, he trusted the House would receive from a Minister of the Crown an account of the real condition of Ireland, now in the middle of the month of May, and thereby relieve the just anxiety which they felt on this subject. He thought he heard the hon. Member for Salford (Mr. Brotherton) indulge in merriment. He did not know whether there was anything of a laughable character in the expression of the natural anxiety he felt to ascertain the real state of the people of Ireland. The hon. Member would of course have an opportunity, if he wished it, to explain how he felt on this subject; but for his (Mr. Bankes's) part, he expressed the feeling with the utmost sincerity. He did wish to hear from the noble Lord the Secretary for Ireland, what was the true state of that country. The state of the country was not, in his opinion, combined with the question of the Corn Laws; but he wanted to know whether the Government still continued to assert the proposition that the present Bill would afford any immediate or future relief to Ireland. If the Government had made any former efforts to serve Ireland, they had not succeeded in their attempts. He had only to express, in conclusion, an earnest hope that the House would receive some authentic information on such an important subject.

The EARL of LINCOLN: Mr. Speaker, I certainly should have been glad to be spared the duty of rising to address the House on this occasion; not that I have any difficulty in responding to the call that has been made upon me by my hon. Friend the Member for Dorsetshire (Mr. Bankes), but because of the fact that I have been labouring under some indisposition for two or three days, and I am afraid I shall not be able to express myself in a manner so satisfactory to the House as I could wish. At the same time, Sir, I feel that it is not possible for me to remain silent, after the sarcastic tone in which my hon. Friend took notice of the circumstance that I had not risen earlier to reply to the statements of the hon. and gallant Member for Armagh (Colonel Verner). I hope, however, that the House will excuse me, if, for the reason I have assigned, I avoid entering into the whole subject of the Corn Laws on the present occasion, and confine myself simply to replying to the speeches of my hon. Friend the Member for Dorsetshire, and the hon. and gallant Member for Armagh, which speeches were, I think, almost exclusively occupied with a denial of the existence of want among the population of Ireland. Now, with reference to the call made upon me by my hon. Friend who spoke last, I must say I should have thought that on general grounds, if not for the reason I have given, it was not necessary for the Secretary for Ireland, on the first occasion since his appointment that he happened to hear the statements which have been made by the hon. Gentlemen, to have risen to deny them; for I cannot suppose that the hon. Gentlemen could consider that the other Members of Her Majesty's Government are ignorant of the real state of things in Ireland, or that they do not, from time to time, receive accounts from the Government in that country of the real condition of the people; and I did

think that it was well known (as is the fact) that I was equally with my Colleagues responsible for the statements which have been made in this House respecting the distress in Ireland, by the right hon. Baronet at the head of the Government, and the right hon. Baronet at the head of the Home Department. I claim my full share of responsibility for those statements, for it has been my duty since I went to Ireland to correspond every day, from Dublin, with one or other of my right hon. Friends, and to state to them the severe pressure that exists, and the severe pressure that must be expected to exist for some time to come. That has been my duty, and I say, therefore, when my hon. Friend expresses his doubts of the real existence of distress in Ireland, that I can remove all doubts on the subject from his mind, if those doubts are sincerely entertained, and that the statements of the distress of the people of Ireland which have been made in this House by Her Majesty's Government have not been exaggerated. I do not say that no statements of distress which have been made on the other side of the water have been overcharged. Some of the statements made there may have been exaggerated. Alarm in some cases, and in others, I am afraid I must say, interested motives, may have induced persons to put forth statements too highly coloured; but all those representations have been carefully investigated by the Government of Ireland; and in my conscience I believe that no statement made by the Government in this House has partaken of exaggeration. Sir, my hon. Friend the Member for Dorsetshire tauntingly remarked, that my right hon. Friend at the head of Her Majesty's Government was sitting next but one to the Irish Secretary, from whom he must have learned the truth as to the state of Ireland; and my hon. Friend called on my right hon. Friend to rise and deny, if he could, the statements which had just been made by the hon. and gallant Member for Armagh. Now, my hon. Friend the Member for Dorsetshire is at this moment sitting within four of my hon. Friend the Member for Northamptonshire (Mr. A. Stafford O'Brien), and I call on my hon. Friend the Member for Northamptonshire to rise and contradict my hon. Friend the Member for Dorsetshire as to the statement he has made of there being no unusual distress in Ireland. My hon. Friend the Member for Northamptonshire has lately had an opportunity of seeing with his own eyes the state of the people of Ireland. I do not know it for a fact, but I believe that my hon. Friend visited his estates in Ireland at Easter for the purpose of seeing for himself what really was the state of the country; and I think that he could, if he chose, contradict the statements respecting the distress in Ireland on which my hon. Friend the Member for Dorsetshire relies. As I have said, I do not know for a fact that the object of his visit was such as I have mentioned; it may be surmise; and I may be mistaken; but this I do know, that twenty-four hours after my hon. Friend's arrival in Ireland he wrote to me at Dublin a letter so pressing and so urgent, that I can say that in all the applications with respect to the existing distress that I have received from all parts of the country, there had been none so pressing or so urgent as that which I received from my hon. Friend the Member for Northamptonshire. He stated that which he, as a good landlord, was no doubt glad to do, and which I should have been ready to give credit to him for doing if he had not mentioned it, namely, that he was ready to find the means of supplying all the wants of his own tenantry; that not one of them should come on the public purse; but he accompanied that declaration by this statement also, that many of the peasantry around him were in a state of the utmost distress; and that with them it was an affair, not of weeks, nor even of days, but of hours: and he told me further, that if after that warning on his part I hesitated to supply means of obtaining food to the peasantry of that district, where there was no resident landlord, the responsibility must rest on me, and that it would be my fault if famine, and consequently disturbance, should take place. Sir, I will not relate to the House what I felt it my duty to do on receiving that letter. My hon. Friend the Member for Northamptonshire has already done more than ample justice in speaking in this House, some evenings ago, of the course I took; but I am very confident that my hon. Friend the Member for Northamptonshire will assure my hon. Friend the Member for Dorsetshire of this, at least, that in the counties of Limerick and Clare the distress of the people, so far from having been exaggerated by Her Majesty's Government, is at present most alarming. After all, my hon. Friend the Member for Dorsetshire does not appear to be quite

fixed in his opinion about this distress; for at the outset of his speech he almost went the length of denying all existence of distress in Ireland; but he probably felt that so bold an assertion needed qualification, for, when he came to the close of his speech, he said that he was not prepared to deny that there was distress in Ireland, but that he was prepared to deny that it existed in the generality attributed to it by Her Majesty's Government. Now, if by general my hon. Friend means universal, then I tell him and the House that I am not prepared to assert that the distress is universal in Ireland; but that it is general I am prepared to maintain. The hon. and gallant Member for Armagh stated that the price of potatoes in his part of the country is not higher now than at this time of the year is usual, and he denied the existence of distress in that locality. Now, Sir, I am glad to hear of one spot in Ireland in which there is not any distress; but this one fact does not prove that the distress is not general. I am aware that the pressure is not so great in some parts of the north of Ireland as it is in the south-west, and generally in the south portions of the island; and one reason of this, with respect to the north, is, I believe, that the people in those parts of the country are not so generally dependent on the potato for food as in other parts. In the south-west and the south the pressure arising from the disease in the potatoes has been severe; and even in some parts of the north also, to which the disease has extended, the consequent distress has been felt. My hon. Friend must forgive me on this occasion for saying, that he may not be as capable as some other Members of judging of the full extent of this distress, if he compares the state of his neighbours in Dorsetshire with that of the peasantry in Ireland. Dorsetshire will not afford a fair test by which to decide this question. He will find that there also, I am greatly afraid, some distress does exist, if it be not so great as the distress of the Irish poor. He may, perhaps, deny that too; but an hon. Member of this House has written a letter which has been lately published, and which puts the matter in a clear light. From that letter it is now known that the poor in that district usually live on potatoes; and it is well known also that they are living on 7*s.* a week, and that they have to pay rent out of that sum. Now, though the condition of the people in Ireland is undoubtedly bad, yet, I am willing to admit it is not so bad in all cases as to form a strong contrast to such a state of things at this, however melancholy it may appear to those who are used to see people living in better circumstances; but still proofs of the severity of the pressure multiply upon me. As an instance, I may mention, that I, this very morning, received a most pressing letter from the island of Valentia, in the county of Kerry; and that letter is quite free from any charge that can be imputed to the writers, of having from interested motives made a demand upon the Government. The writers of it state that they had thought that their potatoes in the island would have lasted the usual time, but that they now find they are completely gone—that both what they wanted for food and for seed are completely destroyed. They state other cases of distress. But what is their demand? Their demand is not for the public money; but their simple apppeal is, that the Government should send a supply, by steamer, of Indian meal or oatmeal, which they should sell to the people, at cost price, for ready money. Sir, I say that when the Government of Ireland are daily receiving such accounts as these, we are justified in saying that the distress is great, and that it has not been exaggerated. My hon. Friend the Member for Dorsetshire read some papers to show that distress prevailed in Ireland some years ago, in the month of May, to a great extent; and my hon. Friend said he felt he had reasons to doubt whether the existing distress was so great as the distress was then, because the loss, he said, from the potatoes was not so great this year as it was then. Now, I will not debate that point with my hon. Friend: I will content myself with referring him to his hon. Friends the Member for Northamptonshire and the hon. and gallant Member for Armagh, to tell him whether it is not a well-known fact that the month of May is the very month in which, in Ireland, there is the greatest demand for labour, and consequently the least demand for assistance on the ground of distress, if distress exists. And when my hon. Friend taunts us with the remark that the evil day of extreme distress is constantly protracted, let me remind him and the House, that, from the first, it was stated by Her Majesty's Government that the people might be expected to be in a great state of distress in the months of March and April; but that June, July, and August would be found to be the

months of the severest pressure. The month of May was passed over; but for what reason? Because the month of May is usually the time, in Ireland, at which the cottiers are either occupied in sowing their potatoes, or are employed on farm labour for wages; and any supply of labour that is wanted at all during that month is usually most fairly paid. It is not, therefore, from any diminution of the distress, or that the potatoes are not so much diseased as was expected, that there has been some diminution this month in the demands on the public purse—though I can assure the House that diminution has been little indeed—but simply from the operation of the cause I have stated. Perhaps the House will allow me to quote another case—a case arising in the county of Cavan. I wish to quote that instance, because it belongs to a district approaching the locality spoken of by the hon. and gallant Member for Armagh. If I had been aware that I should have been called upon to address the House this evening, I might probably have been prepared to state cases arising in the immediate locality of the hon. and gallant Member. A nobleman—I will not hesitate to mention his name—Lord Farnham, a nobleman who is deserving of the greatest possible respect and esteem, and who is as incapable of practising exaggeration as any Member of either House of Parliament, has, within these twenty-fours, placed a paper in my hands, representing a grievous case of distress in a district of the county of Cavan, where there is no resident landlord, who would, like him, have been happy to relieve the wants of the people. Now, my hon. Friend the Member for Dorsetshire has stated that the course taken by the Government had caused those who had potatoes to sell to withhold them from the market, and that the price has been enhanced by the conduct of the Government. [Mr. BANKES: I said, speaking of the Government, that the alarm they created by their measures induced people to withhold their potatoes, and so created a rise in price.] Yes; but at the same time my hon. Friend stated that this alarm was foolishly created by the Government, and that the result has been a rise in the price of potatoes. I therefore concluded that he meant to say—and I think that is the logical deduction—that the enhanced price of the potatoes was the result of the conduct of the Government. Now, really this is a matter of assertion which it is very difficult to controvert, except by an assertion of an opposite character. But let me ask my hon. Friend and the House to call to mind what are the steps which the Government really have taken on this occasion. But first let me point out that there is a great difference in the present state of things in Ireland, as compared with what was its condition in 1823 and the preceding year, to which my hon. Friend has referred; for in those years the loss in the potato crop did not arise from disease, but from the fact of the potatoes having been pitted during a wet season. The potatoes, in consequence of that accident, but, nevertheless, unexpectedly, were found, when the pits were opened, to be entirely gone. On that account no preparation was made by the Government of the day. The loss of the crop was wholly unexpected. That is the reason of the difference between the two occasions of distress, and a reason that amply explains it. But Her Majesty's present Government, previous to the distress being generally known of, as soon as they received information leading them to apprehend it, immediately ordered a supply of Indian corn and other provisions to be stored in various places in Ireland. For what purpose? For the purpose, in the first place, of preventing a deficiency of food. Another purpose the Government had in view was the equally valuable one of producing a reduction of prices by sending these stores into the market when combinations should have taken place, as they foresaw would be the case, and food should have been raised by such means to a famine price, and been rendered difficult of acquirement, even beyond the necessary operation of the loss of the potato crop. On this point I may quote a case which was the first that came under my cognizance after I went to Dublin. A deputation from Limerick waited on the Lord Lieutenant and myself, consisting of the Dean of the Established Church, the Mayor, Sir D. Roche, and Mr. Monsell, a gentleman, whose admirable conduct with respect to the distress cannot be too highly praised. He has acted with a liberality and patriotism that do him the highest honour. These four gentlemen came up as the deputation, and four gentlemen more respectable could not have been selected; they told us that the loss of the potatoes had come upon them in the city of Limerick completely by surprise, and that whilst a fortnight before they had anticipated that their supply would have lasted until the month of May, they now found that it had failed;

that the poor of the city were almost in a state of famine; that the works which had been resolved upon could not immediately be begun; and that there was no employment to be had for the people. We told them that the probability was, that parties who had food in their hands might be operating on the markets. Well, the price in Limerick was at that time $7\frac{1}{2}d.$ a stone; but what was the reduction consequent upon the supply of meal sent by the Government, and the sum given by the Government corresponding to the subscription raised by the citizens among themselves—a reduction showing that we were right in our anticipation that combination might be resorted to to carry up prices? Potatoes immediately fell from $7\frac{1}{2}d.$ to $5\frac{1}{2}d.$ a stone; but even after this reduction, I am sure my hon. Friend the Member for Northamptonshire, and every other hon. Member who is connected with Ireland, will state that it is impossible for the poor of Ireland to support themselves and their families on prices such as those. Sir, I had not the remotest intention of addressing the House on this occasion; I certainly did feel that refutations of such statements as those put forth to-night, of the small amount and extent of distress, had been so often made by other Members of the Government equally capable with myself of distinguishing the truth, and that even the means my hon. Friend had in his hands, if he had been willing to apply candour in using them, were so complete, as conveying information of the real state of the poor in Ireland, that I did not come down prepared on this occasion with any documents or evidence to reply to the charge that has been made. I will not trespass further on the House; but I must conclude by assuring them, in the most categorical way that I can, that the distress in Ireland, though not universal, is general; and that, as regards the statements which have been made by Her Majesty's Government, they will be found to be fully borne out by facts which before long will be patent and conclusive.

Mr. FLOYER had one observation to make in answer to the noble Lord. The noble Lord had thought proper in the course of his speech to make some remarks as to the rate of wages in the county of Dorset, and had, he thought, travelled somewhat out of his way in interposing such remarks in his attempt to answer what he (Mr. Floyer) considered the unswerable arguments of his hon. Friend and Colleague (Mr. G. Bankes). He asked the House whether the natural impression produced by the noble Lord's observation was not that the common if not the general rate of wages in Dorsetshire was only 7*s.* a week? [The Earl of Lincoln: I was quoting Mr. Sheridan's letter.] He knew the noble Lord was quoting Mr. Sheridan's letter; but as he understood him, the noble Lord agreed with the statement he quoted, and adopted it has his own. If the noble Lord was not prepared to stand by it, he should not have made it to the House. Now he (Mr. Floyer) did not pretend to that extent of property and knowledge of the county which were perhaps possessed by the hon. gentleman who was the writer of that letter; but in his neighbourhood near the county town of Dorset, and in many other parts of the county, he knew it was at variance with the truth to say that the labourers were receiving only 7*s.* as their weekly wages. He knew no part of the county in which the rate of wages was so low. He must refer also to another remark of the noble Lord's, by which he seemed to infer that the condition of the Dorsetshire labourers was something similar to that of the Irish peasant, so far as that he was compelled to live upon potatoes as his common food: he could state with perfect confidence that there had scarcely been any period at which the condition of the labourers of Dorsetshire was better than it was now; and if it was true that they were reduced to live wholly upon potatoes, it was impossible their condition could be as flourishing as it was. As a representative of the county of Dorset, he could not refrain from rising in his place in that House to give his unequivocal denial to any statement which had been or might be thrown out, that the rate of the wages of the agricultural labourers in that county were universally so low, as the House might be led to believe from the speech of the noble Earl (Earl Lincoln).

Mr. STAFFORD O'BRIEN: The noble Lord having in the course of his speech appealed to me, I have no hesitation in stating that I can confirm what he has said as far as regards the city of Limerick. I believe that, owing to the precarious supply of food, the noble Lord's fears were exaggerated when he expected an outbreak in that city; I believe that the promptitude with which the noble Lord attended to the wishes and remonstrance of the deputation who waited on him, did

prevent an outbreak in the city of Limerick; and I believe it was owing to the wise precautions of Government in providing a store of Indian meal that the prices of potatoes and oats were prevented from rising to an extravagant price. So much for the city of Limerick. With respect to the district of Clare in which I reside, when I got there I found on one side a schooner attacked on the river by bodies of armed men; I found on the other cattle guarded by soldiers; I found on the hills near me a starving, and to some extent, a lawless population; and those who know Ireland best, those who have lived in Ireland for several years past, know not only that Clare is liable to these outbreaks, but that that particular district to which I refer has got an unenviable notoriety for heading and promoting those riots. When I found this state of things, I felt that, as an inhabitant—still more as a magistrate, as a custodier of the public peace, I ought not to lose one hour in laying before the Government of Ireland the state of things in that county; and I am happy to say that, by the strenuous exertions and conduct of my noble Friend, the poor people are now in full employment; there is no fear of an outbreak; and I believe that this tranquillity will remain, whatever may be the difficulties with respect to their food. The only inaccuracy in the statement of my noble Friend is, that he says I did not anticipate the distress in Ireland. I did anticipate the distress; for the very night before I left town I distinctly stated that there was distress; but I was certainly not aware of the extent of the distress. I was not aware that the potatoes had not only failed the poor people, but that there was really no food for the present and no seed for the future, and that no language could be too strong to describe the state of distress, misery and starvation existing in that particular neighbourhood. And now, having borne my full testimony to the statements of my noble Friend, I may be permitted to say that I do not conceive them to be in so violent antagonism to the statements of the hon. Member for Dorsetshire, as some Members seem to imagine. My hon. Friend, in his speech, read extracts from a letter to Lord Darnley by Sir E. O'Brien in 1822, describing the state of Clare pretty nearly in the terms I have just described it; and here I would beg to say that there was no gentleman connected with the county of Clare who assisted more to render the inhabitants independent of a precarious supply of food than did that gentleman; and I am happy to bear this public testimony to his worth, because I conceive that his memory deserves it. But my hon. Friend the Member for Dorsetshire has shown that whatevever may be state of Clare, it does not necessarily follow that this should be the state of all Ireland. My hon. Friend, in quoting that letter, alluded to the severe distress which at present exists in the county of Clare; but I think he stated in his speech that it was not universal all over Ireland. In the same way I say, that however severe I may have found the distress in my own immediate vicinity—and I only speak of my own vicinity—it may not be so in all parts of the country. At the same time, I do say, and I do not shrink from saying it, that I believe there is very great and severe distress in Ireland; and that we must look, not for a diminution, but for an increase of that distress. I deeply deplore, however—as I have over and over again said—that the right hon. Baronet should, at the commencement of the Session, have made "confusion worse confounded," by mixing up the question of Irish distress with the Corn Laws. If we do on the one hand, in the heat of party debate, give too favourable views of the state of Ireland, the right hon. Baronet must recollect that his cause, in the opinion of many of his warmest friends, would have been as strong, and would have been made more clear, if he had drawn a distinction between a transitory calamity, and the necessity for permanent measures for its relief; nay, that the pressure of a particular case rendered the Legislature less competent to decide fairly and calmly a question of this great extent. But I need not say that I do not rise to enter upon the question on this occasion; but I feel too deep an interest in the welfare and prosperity of Ireland than do otherwise than deplore when I see it mixed up with any subject of an exciting and in some measure of an extraneous character, because it may prevent us arriving at a calm conclusion upon it. I may say also, in reference to that country, that however you may repeal the Corn Laws, or however you may, on the other hand, increase protection to agricultural produce, unless the landlords of Ireland exert themselves—unless they are willing to make sacrifices, to merge their party and political feelings, to soften down prejudices, and to obliterate the bitter memory of the past, the result will do no good to Ireland. I repeat that, while I maintain my own

opinion as to the propriety of the course which the Government are inviting the House to pursue, still I do not deny—on the contrary I maintain—that this distress and this misery must be met by the exertions of the Irish proprietors themselves.

Mr. LEFROY rose on the present occasion, not so much from a desire to oppose what had fallen from the noble Lord the Chief Secretary for Ireland, as from a feeling that he would not be discharging his duty faithfully, if he did not state a few facts that came within his own observation, showing that, however distress might exist in certain districts in Ireland, that it was by no means so general in that country as they had been led to believe. He did not intend to contradict the statements that had been made by the noble Lord (Lord Lincoln) in reference to the distress that was said to exist in Limerick and the county of Clare. All that he was prepared to do, was to show that, so far as the circumstances of Ireland were concerned, they did not warrant the measures proposed by the right hon. Baronet; and if they were carried, that they would prove most detrimental to the interests of that country; and that the time would come when they would regret their adoption. He was desirous to state that, from inquiries he had made into the condition of the people in those districts in Ireland, with which he was more immediately connected, he found that the reports of the existing distress had been much exaggerated. He would first allude to the county of Longford; and with the permission of the House would read the following extract of a letter which he had received from a gentleman in Longford, dated Granard, April 14:—

"For twenty years I have not seen this market better supplied with potatoes, oats, and meal than it was yesterday—the former 4*d.* the stone, good and sound, and in such quantities that all were not sold; oats 13*s.* 6*d.* the barrel of 14 stone; and meal, of which there was a large supply, sold at 14*s.* 6*d.* per cwt. This report would apply to the market yesterday week, and yesterday fortnight; and I have no doubt but that the resources of this part of Longford will be found more than enough for the consumption during the summer, leaving a large surplus which may be, as necessity requires, drafted off to some other part of Ireland. I attended the market of Castlepollar last Wednesday, which is ten miles from Granard, nearer Dublin, I there witnessed also a plentiful market, a very large supply of potatoes particularly, which were sound and good, selling at 4½*d.* per stone. The people, I am happy to say, in his (I mean my own) locality are generally employed, and have taken the precautions, by means of the loan funds, of laying up provisions for the summer. We have, thank God, little or no fever, and very little sickness of any kind now in the country."

He might here mention, that he had taken the opportunity which the recesss afforded of going through different parts of Ireland to make himself acquainted with the facts; he visited various market towns in Longford, Sligo, and Roscommon, and from the prices at which potatoes were sold, as well as the supply in those markets, varying from 3½*d.* to 4*d.* a stone, good and sound, and in such quantities that all were not sold, he could not believe that distress existed to any considerable extent. He had also written to several extensive land agents in that country, and he would take leave to read letters that he had received from gentlemen of great respectability.

"I have this day," wrote one correspondent, "purchased twenty tons of meal, at 15*l.* 10*s.* a ton, to issue next month, and to be paid back, after the harvest, by weekly payments. At present we have not felt the pressure, though 15*s.* 6*d.* per cwt. for meal, and 3*s.* 3*d.* per cwt. for potatoes, is a high price; in 1840, I paid 18*s.* and 20*s.* for thirty tons of meal. If we have sufficient employment for three months in the summer, I should be in hopes of escaping the anticipated famine. We are better off than many of our neighbours. At present a combination prevails among the labourers for high wages, 4*s.* 6*d.* a day; in consequence many remain idle, and the lands not sufficiently tilled."

These, he considered, were not famine prices, and further proved that the landlords were not so inattentive to the interests of their poor tenantry as had been represented. With respect to the county of Sligo, he could also state, that potatoes were not selling there at a higher rate than what he had just mentioned; and although at the time of the cholera that town had suffered very severely—perhaps more so than any other town in Ireland—some of the medical gentlemen of Sligo had told him (Mr. Lefroy) that he had not now any violent cases of bowel attacks arising from want of food, or any fever; and the physician who had supplied the statement to the Government as to the existence of disease in that county, could not be considered as competent to do so, as he lived on the borders of the county Mayo, and had no opportunity of judging of the general state of the county. Sir Robert Booth, Mr. Cooper, and Mr. Wynne, gentlemen resident there, had also stated that there was no appearance of famine; and their statements, he said, were deserving of consideration. The hon. Member read another letter he had received from a gentleman in the county of Armagh, who resided in the neighbourhood of the Duke of Manchester's property, to

the following effect. It was dated March 27, 1846:—

"In reply to your inquiries on the subject of fever and famine, I beg to offer the following opinion. Never has there been so shameful an exaggeration on any subject within my memory, as that which has been put forward by the advocates for the repeal of the Corn Laws. With regard to fever, we might ssy, as compared with other years, there is none; and as to famine, there is abundance of food, and the price is moderate. The only pressure is in cases of looms being idle and weavers unemployed, partly caused owing to the unsettled state of affairs between America and the British Government, and partly by the suspense caused by the Corn Law question. I shall now give my reasons for the opinion I put forward:—1. As to fever. Whenever our district has been visited with fever to any extent, I am immediately made acquainted with it through one or other of the following channels:—1st. The parochial clergy frequently apply for aid to such persons as they find in fever and requiring aid. 2nd. The medical attendant, who has the care of the tenancy, and to whom they have access, not unfrequently asks for additional bedding to separate members of the same family to prevent contagion. 3rd. The borrowers at the loan fund are obliged to have my signature to prevent fines in case of accidental illness, and especially fever, and in the latter case I never refuse it. And lastly, the poor in fever come to me for jam, tea, sugar, and bread, which are generally supplied on demand, as a gift to those thus afflicted. Now, what is the fact? There has not been an instance of a clergyman recommending any one to me in fever since the potato panic commenced. The medical attendant has called my attention to but one case of fever within the same period. There are not three cases of fever in families connected with the loan fund; and lastly, I have had only one case of clothing and one of food as necessary to fever patients. We shall now turn to the question of famine. When others were laying in oatmeal, I was advised by experienced merchants to buy none. Those who bought at that time (September and October) at 17*s.* 6*d.* per cwt. for oatmeal, can now have abundance at 15*s.* I lately entered into contracts with persons who sell meal, to supply all I should order at the market price each week. The want is so little felt as yet, that I have not issued orders for above 10 cwt. of meal. Those who had diseased potatoes were not altogether losers, in proof of which I may mention this fact, that the steward sold this week the pork fed exclusively on bad potatoes in the castle farmyard for nearly 40*l.* The pigs cost 18*l.*, so that 22*l.* profit on eleven pigs, or 22*l.* each, was a very good return in four months."

He had been assured also by a physician residing in the same county (Armagh), in the town of Portadown, that the cases of fever had been less in number than at any former period within his recollection. That gentleman said—

"Portadown, March 28, 1846.

"In answering your note of this day, I have to say that, along with all the other dispensary and fever hospital doctors of the kingdom, I was furnished with a number of questions from Dublin Castle respecting fever and apprehended scarcity of food in the neighbourhood; and I am happy to say that my answers did not suit their purpose. The truth is, there has been less illness, and particularly fever, in this part of the country this winter than almost any other I remember; and, of course, I made my answer accordingly, and it is remarkable, that out of 800 cases, they received only 82 answers betokening fever, bowel complaint, &c., and, as you might observe, many of these only in apprehension, which was the way the question was put. Now as to our locality: I can give, after counting up, the number of fever patients in my dispensary-book since the 1st of January, and I find I have had 19 out of 1,400 patients, which I look upon as exceedingly small out of that number of patients, and for the space of three months. The year before last registered somewhat above 800 patients who had fever; but that was an extraordinary year. The year preceding it, and last year, were each about 150; so you can see, take it in either way, the proportion is small. At present I have not three cases in hand; and I am sure there are not ten cases in Drumaree parish, which, according to the census, contains 15,000 inhabitants; besides, this is generally the most subject to fever of any country I know. The district about Jandreyee, I would say, is equally free of fever extending on to Scarva, which is the terminus of my visiting, and within two miles of your own residence; so that, judging from all these circumstances, I would say that your parish cannot be much infected. As to all other sickness, our dispensary report does not exceed last year, nor until the last fortnight did it equal last season in number of patients, which has been increased just lately by a feverish cold or influenza, and a diarrhœa which is just now present, and which I cannot justly trace to unwholesome food."

Another correspondent writes—

"I dined in company with five clergymen on Friday last, who have large parishes, and their decided opinion was, that there never was so little fever as this year. Some of them said they had none; others mentioned one or two cases. They all agreed also in saying that as yet there was no distress of any peculiar degree."

Having considered it his duty to make these statements, it was not his intention to deny the existence of distress in certain parts of Ireland, as he considered it did exist in several places; but he agreed with his hon. Friend the Member for Northamptonshire in opinion, that that distress had in many cases been caused by a combination of persons, who prevented a sufficient supply of food being sent into the markets, which, as a matter of course, tended to raise the prices. He would, however, suggest to Her Majesty's Government, that they ought to take measures for the distribution of the Indian corn and meal, in such a manner as would defeat that combination. [The Earl of LINCOLN: It has been done already.] Some reflections had been thrown upon the resident gentlemen of Ireland, for not having availed themselves of the "special sessions" that had been

ordered to be held, for the purpose of affording relief to the distressed people; but he was informed that the reason of their not having done so arose from the fact that the assizes were so near at hand, that had they taken such measures as was expected they would have done, they considered that they would be conferring benefits on local contractors alone, and not on the people who required assistance; and it was to that circumstance their conduct should be ascribed, and not to any indifference regarding the wants of the poor in their respective localities.

Mr. BORTHWICK rose to say a few words before the House decided upon the Motion submitted by his hon. Friend. The right hon. Baronet at the head of Her Majesty's Government had declared his intention of walking in the light of the Constitution. He was not, however, one who asserted that the Corn Laws was a part of the Constitution. The right hon. Baronet had declared those laws to be unjust, which, but a short time since he deemed to be only impolitic; and what the extent of his next conviction might be, was most difficult to tell. He would read to the House a few lines written by one of the most celebrated men of the age in which he lived—he meant Sir Walter Scott—when comparing Louis the Sixteenth of France with Charles the First of England, which appeared to him to be eminently characteristic of the conduct of the right hon. Baronet. The hon. Member read the following extract:—

"Both sovereigns fell under the suspicion of being deceitful and insincere, when perhaps both, but certainly Louis, only changed his course of conduct from a change of his own opinion, or from suffering himself to be over-persuaded and deferring to the sentiments of others. Few monarchs of any country certainly have changed their counsels and measures so often as Louis XVI., and with this unhappy consequence, that he neither persevered in a firm and severe course of government long enough to inspire respect, nor in a conciliatory and yielding policy for a sufficient time to propitiate regard and inspire confidence. It is with regret we mention this, in a character otherwise so excellent."

He trusted that the right hon. Baronet, who had at one time declared the Corn Laws to be impolitic, and at another unjust, would, ere long, like Louis XVI., his illustrious prototype, return to his original position; and that the consequences of his changes of opinion might not be visited on his country—he would not say upon himself. He did not accuse the right hon. Baronet of acting upon other than sincere conviction; but it must be apparent to any man who viewed the present state of things, and recollected the past, that it was no light matter which had caused so great a difference between him and a large portion of his followers. Those followers of the right hon. Baronet had given repeated and signal proofs of how desirous they were to remain attached to him. For his financial policy they were willing to do him full justice. They sacrificed many minor considerations and many points of detail sooner than separate from the right hon. Baronet: when the question was not mere detail or of slight import, but one involving a great principle upon which the most important interests of this country depended, they were obliged, however reluctantly, to act for themselves, and to stand by those opinions which they believed to be based upon justice and on a sound policy, and to which they had always adhered. They were, he repeated, prepared to follow the right hon. Baronet wherever he led them, but they were not prepared to see him—in the language of Lord Castlereagh—turning his back upon himself; so long as he walked in a straight and open line of policy—so long as he was guided by the light of the Constitution, so long they were prepared to submit to his leadership; but when he deviated from that path, and would no longer be guided by that light—when he turned into the course selected by his opponents, that party would follow him no further. The right hon. Baronet had stated that what he had before thought impolitic, he now believed to be unjust. This he thought rather a strange expression from one so eminent. For let them consider what it really amounted to—that for thirty years he had been unable to discover what justice was; but notwithstanding this extraordinary blindness, he became suddenly illuminated, so that he was able to discover it in the course of a single debate. Now it might be fairly said, that policy was the birth of circumstances, for what was politic last year might be impolitic this; but justice was eternal and immutable—the same thirty years ago as she was now—the same at the beginning of this debate, as she was at the end or middle of it. He asked the House, was there any man in his sober senses, from one end of England to the other, who would believe that one possessed of the long experience, the acute judgment, the consummate ability, the keen perception of the right hon. Baronet, could not for thirty years, though tho-

roughly acquainted with the machinery and working of the State, perceive what was just from what was unjust? The best statesman might err as regarded matters of policy; but he who could mistake injustice for justice, wrong for right, must be surely the reverse of all that they believed the right hon. Baronet to be. M. Guizot, in the French Chamber, used these words:—

"Sir Robert Peel, therefore, proposes to put those branches of national industry which can accept the contest without perishing, to this proof of foreign competition. But do not think on that account that Sir Robert Peel has ceased to be a Conservative in political economy. Do not think that he has abolished, or that he means to abolish, all protecting duties. You can pass in review all the duties established by this new Tariff, as my hon. Friend the Minister of Commerce said yesterday, and you will find that many protecting duties continue to exist in it, and protecting duties of a very efficacious kind. Sir Robert Peel does not mean blindly to give up the market of England to foreign industry. He is not the apostle of unlimited liberty of commerce. He is merely the partisan of foreign competition limited to certain conditions. Gentlemen, that is the true character, the real end of the measures which are at the present moment under discussion on the other side of the channel. What is there in the measures for us to sdopt? The first of these measures, namely, the social reform which interests the manufacturing population, I hesitate not to say is not applicable to us."

His noble Friend the Member for Lynn referred to those words to show that foreign countries were not quite so ready to adopt the right hon. Baronet's policy as he seemed to anticipate; and the right hon. Baronet in reply said, and his reply was rather remarkable, that "he never gave a guarantee that at the approach of a new election the French Minister would say that restrictions should be removed." Which amounted to this—that M. Guizot held certain opinions, but would not avow them; that he thought it a better course to secure a majority ln the Chamber first, and to betray them after. Surely that was not the conduct of a great statesman, such as they had been assured M. Guizot was. M. Cunin Gridaine, the French Minister of Commerce, speaking on the question of the Treaty of Commerce between France and Belgium, says—

"The economical reforms proposed in the British Parliament cannot fail to have occupied general attention. Those who think that we should not hesitate to imitate the example given us by the English Parliament, advise a premature and dangerous act. England has never pursued any other line of conduct than that of her interest; and she was right. It is in that particular we should imitate her. From the earliest period it has been the aim of England to extend her manufactures, her navy, her commerce, and to obtain in all cases an advantage over her competitors. She did not suffer herself to be carried away by theories; she consulted facts. She studied her position, compared it with that of other countries, and she acted accordingly. * * * I must here remark, however, that England does not in any way modify her colonial system. That is to say, she continues to reserve for herself the manufactures, navigation, and commerce, which ought to administer to the wants of 100,000,000 consumers."

It was no wonder that foreign countries should hail with pleasure the relaxations proposed by the right hon. Gentleman. But the question was, were they prepared to act in the same spirit of reciprocity? The hon. Gentleman, who was at this portion of his speech but imperfectly heard, then alluded to the following passage of the speech of M. Guizot:—

"What is the position of France? We do not stand in need of any such social reform, for our manufacturing population is much less numerous than our agricultural population, and is, comparatively speaking, better off than the same class in England, nor is it subject to the fluctuations which periodically affect the British markets. Thus we are not called upon to imitate the social reform now passing in England, and there presenting so interesting a spectacle. Neither are we called upon to imitate her commercial reform, and for this reason, that for a series of years we have been proceeding step by step in the path of industrial reforms, and for the further reason, that the home market is more valuable than the foreign."

M. Guizot expressed his surprise at the immense disparity between the manufacturing and agricultural population of this country, deceived, no doubt, by the Population Returns of 1841; and more false returns had never been laid upon the Table of that House, no, not even by the Board of Trade. In these returns, every blacksmith, every man who fashioned the ploughshare and the horseshoe, who, in fact, lived by the farmer, was returned as a manufacturer. Every tailor who made clothes for the farmer and his children—every village sempstress, in short, every description of artificer who lived almost solely upon the farmer and his labourers, was returned as a manufacturer. These people were all returned to that House as a portion of the manufacturing population of Great Britain. The speech of the right hon. Baronet (Sir R. Peel), in reply to his noble Friend the Member for Lynn, was a complete failure. To that noble Lord's arguments he did not even attempt a reply. As regarded the Irish famine, of which they had heard so much in the com-

mencement of these debates, he would read an extract from the *Kilkenny Moderator*, copied into the *Morning Post* of this day :—

"Distress, in some few instances deep and dire, no doubt there is, and no doubt it will increase as summer advances ; but then it must be taken into consideration that when the seed will have been sown, potatoes must fall in price. There is an abundant stock of sound potatoes in the country, which is merely withheld from the market on the speculation of commanding an increased price hereafter. The following is the return which we have obtained from the Fever Hospital :—

Patients admitted for the quarter ending Feb. 1, 1846	329
For the quarter ending May 1, 1846 . .	246
Showing a decrease of disease for the quarter ending May 1 of .	83
And as compared with last year :—	
Quarter ending May 1, 1845	330
Quarter ending May 1, 1846 . . .	246
Decrease as compared with the corresponding quarter last year .	84

This statement did not seem to confirm the prediction of Sir R. Peel, who told them, first, that the famine was to take place in March, then in May, and finally in July. There was, in fact, no such thing as famine in Ireland, and great distress there might be in some parts of the country; but that unfortunately was the case almost every year, and was to a great extent traceable to the social relations between landlord and tenant there. There was plenty of potatoes and plenty of corn in Ireland—there was no deficiency whatever of any description of food in Ireland. He would ask the noble Lord who had spoken on that night (the Earl of Lincoln), whether or no there was not abundance of food in Ireland? The fact could not be denied. But even supposing there was a famine there, how would the present measure relieve it? The want of connexion between the evil and the remedy was so much felt, that nobody had attempted to establish it but the right hon. Gentleman the Secretary of State for the Home Department, who said—

"The hon. Member for Liverpool said last night that he could not see that connexion ; and the hon. Member for Northamptonshire, following the same track, has also said that he did not see the intimate connexion between the two questions. Will the House, then, allow me to state what was the effect produced on my mind by this inevitable coming scarcity in Ireland? I foresaw, and I am afraid rightly, that it would be indispensably necessary to give to the suffering community in Ireland aid from the public purse of this country to meet this great calamity. Already some advances of the public money have been asked for, and I am afraid that further advances may still be necessary. Then this great question presents itself—Can in fairness any Minister of the Crown propose to the people of Great Britain to take out of the taxes of Great Britain, public money, to aid in the sustenance of their fellow countrymen in Ireland, while, artificially, by laws so designed, the price of the food of the people of Great Britain is enhanced? Other persons may be bold enough to make such a proposition ; but I confess that no power on earth should have induced me to be responsible for such a proposal. I told my right hon. Friend that, if such a course should be necessary, I strongly advised the suspension of the existing law ; and that suspension, I find, is now generally approved of on this side of the House. The humane, the generous feelings of the landlords of England could not tolerate for a moment that distress, such as that likely to visit Ireland, should not be met."

There had been—there would have been—no objection on any side of the House to relieving the wants of the Irish people. The Government would have experienced no difficulty whatever in such a step—they had experienced none. What hon. Members near him complained of was, not that relief had been applied, but that it had not been applied earlier. They further complained that a temporary exigency should be met by a permanent measure—that principles upon which the whole commercial policy of this country was governed should be overturned to meet a pressing but fleeting evil, for which it was altogether unfit. But let them consider the policy of the Government upon another ground. Why should Ireland be made the pretext for introducing this measure at all? If the measure was just, *per se*, it ought to be supported. If the present law was unjust, it ought to be abolished. If the case amounted to one of justice or injustice, as had been stated, there was no need of dragging in the state of Ireland at all. The right hon. Baronet had, speaking of the agriculture of the kingdom, drawn an imaginary line from Inverness to Southampton, stating that exceedingly little wheat was grown on the west of that line; but such was not the fact. A great deal of wheat was grown west of it, and some of the best wheat in the kingdom, too. But what was to become of those small farmers and their labourers whom, the right hon. Baronet had admitted, this measure would have the effect of destroying? They were accustomed at public dinners to quote the well-known lines of Goldsmith—

"Princes and peers may flourish or may fade,
A breath can make them, as a breath has made ;
But a bold peasantry, a country's pride,
When once destroyed can never be supplied."

He regretted to say, that they did not always sufficiently study the interests of the

humbler classes of their fellow countrymen; and in this measure it was plain the agricultural population was quite overlooked. He deprecated this measure as interfering with the market for provisions.

"Of all things," said Mr. Burke, "an indiscreet tampering with the trade of provisions is the most dangerous, and it is always worst in the time when men are most disposed to it; that is, in the time of scarcity. Because there is nothing on which the passions of men are so violent, and their judgment so weak, and on which there exists such a multitude of ill-founded prejudices." "The great use of Government is as a restraint; and there is no restraint which it ought to put upon others, and upon itself too, rather than that which is imposed on the jury of speculating under circumstances of irritation. The number of idle tales spread about by the industry of faction, and by the zeal of foolish good intention, and greedily devoured by the malignant credulity of mankind, tends infinitely to aggravate prejudices which in themselves are sufficiently strong." "It is a perilous thing to try experiments on the farmer. The farmer's capital (except in a few persons and in a very few places) is far more feeble than commonly is imagined. The trade is a very poor trade—it is subject to great risks and losses. The capital, such as it is, is turned but once in the year; in some branches it requires three years before the money is paid. I believe never less than three in the turnip and grass-land course, which is the prevalent course on the more or less fertile sandy and gravelly loams, and these compose the soil in the south and south-east of England—the best adapted, and perhaps the only ones that are adapted to the turnip husbandry. It is very rare that the most prosperous farmer, counting the value of his quick and dead stock, the interest of the money he turns, together with his own wages as a bailiff or overseer, ever does make twelve or fifteen per cent by the year on his capital. I speak of the prosperous. In most of the parts of England which have fallen within my observation, I have rarely known a farmer (who to his own trade has not added some other employment or traffic) that, after a course of the most unremitting parsimony and labour (such for the greater part is theirs), and, persevering in his business for a long course of years, died worth more than paid his debts, leaving his posterity to continue in nearly the same equal conflict between industry and want in which the last predecessor, and a long line of predecessors before him, lived and died."

Now, it was on statements like these, that the right hon. Baronet founded his arguments. He said, if the farmers have succeeded no better than this in their trade, then what has protection done for them? He (Mr. Borthwick) would reply, if manufactures in England have not prospered, notwithstanding all the natural advantages of that country, then what had free trade done for manufactures? These questions answered one another; but he would ask the right hon. Baronet, whether he was prepared to sacrifice at the shrine of the foul idol of free trade, the prospects and hopes of that numerous class, the small farmers of England?—was he prepared to give up the welfare of his country which for centuries had depended upon them? The right hon. Baronet said, that he wished to lay the foundation of a permanent prosperity in trade. But that was impossible, in the very nature of things. The world had stood for six thousand years, yet no man could show a single instance of an empire great and prosperous, that had flourished on the sole foundation of trade. Trade was, in its essential character, as fluctuating and variable as the winds and the waves that bore her traffic to our shores. Trade had left all countries that were dependent upon her alone for their prosperity, in absolute ruin, while those countries which had remained true to those sound principles that were advocated by his hon. Friends around him, had flourished, as this country had continued to flourish. Did they think, if these new views had been adopted three centuries ago, that England would have commanded the world as she did now? He placed these facts in juxtaposition before the right hon. Gentleman, that in the face of the restrictions which they had maintained, the trade of England had risen from nothing to that vast amount at which the world now wondered. Not simultaneously. Not contemporaneously; but on account of that very protection which the right hon. Gentleman now asked the House to remove: and, avowing that from the experience of the last six weeks he has come to the conviction that these laws were unjust, he proposed to strike from the foundations of the country all the props and pillars of her past prosperity. The right hon. Baronet told the noble Lord the Member for Lynn, in his last speech, that he would give the reasons why he continued to persevere with these measures which he had so unhappily brought into the House. But in the whole of that speech, as in the whole of his preceding ones, the right hon. Baronet had contented himself with simple assertions. He seemed, indeed, to be kneeling at the shrine of the hon. Member for Wolverhampton—to be repeating his *credo*. "I believe," he said, "that the farmers of England will not be destroyed—I believe that westward of a certain line injury will not be done—I believe that the noble Lord the Member for Lynn is wrong in his calculations—I believe that his conclusions are erroneous and inaccurate." But, beyond his own belief, the right hon.

Baronet gave them no argument whatever. In looking back upon the history of Her Majesty's Administration, he was almost inclined to believe that the noble Lord the Member for London was not too severe when, in his celebrated letter, he said that Her Majesty's Government only sought an excuse for the repeal of the Corn Laws. But when the noble Lord the Member for London compared, as he did in a late speech, the noble Lord the Member for Lynn to Gil Blas or Dr. Sangrado, he (Mr. Borthwick) begged to remind the noble Lord that that comparison applied to him, and not to the protection party, who maintained the old system; who believed that the heart of the patient was still in the same place that it was before; who repudiated the notions of bleeding and hot water. They practised the old system—they were followers of the ancient College of Physicians—who, relying upon the constitution of the patient, believed that if they left nature to her own course the patient would recover, and the country would be prosperous. In 1841, Her Majesty's Government had not stepped into the shoes of Gil Blas. Their innocent youth had not arrived at that period of discipline; they stood upon the ancient system. The right hon. Gentleman at the head of the Government was at that time duly called in: he felt the patient's pulse; he pronounced his opinion; his nostrums were taken, and the country prospered. The country then sought no change; but from the mere love of change, the right hon. Gentleman, following the example of right hon. Gentlemen opposite, abandoned his former views of the country's prosperity, and adopted new ones. He did not know how to describe the situation of the right hon. Gentleman better than with the comparison with which he lashed another and less distinguishing changeling—

> "Like the vile straw that whirls about the streets,
> The wretched waverer sticks to all he meets,
> Coached, carted, trod upon, now loose, now fast,
> And carried off in some dog's tail at last."

The right hon. Baronet had spoken with some indignation of what he chose to call an alliance between the noble Lord the Member for Lynn, and the Member for Limerick. There was no alliance, but it was a singular circumstance that the men who had made an alliance with the Anti-Corn-Law League should have become the champions for purity of alliance. The right hon. Baronet and the League were like *Helena* and *Hermia* in the play, not indeed yet seated both upon one cushion. That was to come. But like them—

> "Both warbling of one song, both in one key;
> Both creating one flower, both on one sampler."
> "Like a double cherry, seeming parted,
> But yet an union in partition."
> "Two lovely berries moulded on one stem,
> Two seeming bodies but one heart."

He trusted that the noble Lord would succeed in rendering victorious those principles under which this country had grown to its unprecedented greatness, and that the right hon. Baronet would be defeated in his attempt, which, if it succeeded, there would inevitably follow this consequence, that however it might benefit France and foreign countries, it could not fail to involve in destruction the country in which he lived.

Mr. HENLEY wished to offer a few observations to the House on this important subject; and as a Member in his position had little chance of obtaining a hearing in a debate on the third reading, he trusted the House would bear with him now for a short time. With regard to the reasons which had induced Her Majesty's Government to depart from the policy which they had formerly pursued, he might remark, that the first argument adduced by the Government had reference to the social position of the country. A great improvement, they said, had taken place in the country within the last four years, and particularly with reference to crime. But he might remark, that the progress of free-trade measures had not been going on for the last four years, but for the last thirty years; and, therefore, if the diminution of crime was caused by the adoption of free-trade measures, then that diminution ought to have gone on for the last thirty years. Now, he would assert that during the last four years there had been a remarkable decrease of crime. In 1842 there were 31,000 commitments in England; and these commitments had diminished by a fourth part during the next four years. But, had the same result been obtained during the last thirty years? On the contrary, he found that crime had more than doubled in that time. And with regard to the last four years, had no other cause been in operation than the progress of free-trade measures? He would not now allude to the construction of railways, though the importance of spending 20,000,000*l.* in the course of a year for the employment of labour was not to be

overlooked. But was there nothing else? To say nothing of the embarrassment and distress which were felt in the commercial districts in 1842, and the numbers who, having emigrated from the agricultural districts thither, had no parochial relief till they got back to their parishes, all of which causes had a strong tendency to increase crime at that period, and were not now in existence, he wondered that the Government took no notice of the strong religious movement which had been going on in the country for the last ten years—a movement which was neither confined to the Church nor to Dissenters, but which comprised one and all in a great effort to do good to their fellow creatures. Was it not likely that the good seed which had been sown during that time was now beginning to bear some fruit? But without alluding to that circumstance, the Government acted on the bare figures; and though they were too clever and ingenious to assert in express terms that this was owing to their commercial measures, yet they led the House and the country to draw that inference, which amounted to the same thing. But he would admit that the real question was whether these measures were good in themselves, and he was quite ready to go into that question. The hon. Members for Wolverhampton and Durham contended, that the effect of these measures would be to cheapen food, and that then there could be no doubt the people would be benefited. The hon. Member for Stockport did not adopt that argument; he said the cheap-food argument was never his; and he believed the hon. Member never used it except on some particular occasions when he found it necessary to get up the steam. The hon. Member's great argument was, that the country would be benefited by an increase of trade. The Government did not exactly adopt either of those arguments. They did not say that corn would be cheaper by their measure; but they said it would be a guarantee against its being dearer. Now, it was a fact that corn was cheaper in this country thirty years ago, before the commercial code was relaxed at all, and also that there was then a greater equality of price than there was now. But had the condition of the people improved? If it were true that the commercial relaxations of the last thirty years had cheapened bread, increased trade, and obtained equality in price, then the condition of the people of this country should be mended. But was it so? To what test must they resort to try this question? He had already alluded to the question of crime, and shown that it did not bear out the conclusions which Government wished them to draw. With regard to wages, it was hardly possible to come to a sound conclusion, there were so many disturbing causes in operation with regard to articles of consumption. The only test he could take was sugar, an article which was in universal use, and the consumption of which ought so have increased, as tea and coffee had to a great extent superseded the use of malt liquors. Now, he found that in 1820 the quantity of sugar entered in this country for home consumption was 2,901,864 cwt.; and in 1840 the quantity was 3,594,000 cwt. Then, what was the state of the case with regard to the increase of population—a test which had at all times been admitted to be a valid proof of the prosperity of the country. In 1821, the population of Great Britain was 14,400,000. In 1831, the population was 16,643,000; and in 1841, the population was 18,840,000. It was clear, therefore, that the increase of the population was going on at a diminished ratio; and if he had taken Ireland into account it would be seen that the diminution was in a still larger ratio. The Prime Minister had told them that the effect of this measure would be to distress farmers without capital or skill. Though he had shrunk from saying what the probable price of wheat would be under his new measure, yet he had told them that men without skill or capital would be distressed; and when he said that, while supporting the measure, it would not be a harsh interpretation to put upon the expression if he said its meaning was, that they would be nearly ruined. They were told that nearly the whole of the 588,000 farmers of Ireland were men without capital and without skill; and of the 900,000 farmers in England, and the 300,000 in Scotland, it might safely be inferred that about one half were in the same condition; and the measure, it was admitted, would have the effect of nearly ruining them. The next thing he looked at was, at whose recommendation were they asked to pass this measure. Those who recommended it were a motley group—Leaguers, Chartists, Irish repealers, statesmen on that side of the House, statesmen on this side of the House; statesmen who had so much changed their opinions that he doubted whether future ages would not define a statesman to be a man who gave up his opinions. These

statesmen on both sides of the House were followed by a number of persons who had from the beginning existed in the world, and whose language was, in the words of the poet—

"If in Downing-street Old Nick shall revel
England's Prime Minister, God bless the Devil."

And now, with regard to the motives of this motley group. With the Leaguers it was clear as the sun at noon-day that, whatever might be their desire for the good of their country, yet the desire for their own private good was palpable to all. Even as a commercial investment, the subscription of 250,000*l.* was better fitted to their purpose than a new machine. With regard to the Chartists, they had declared at their great public meetings, that they cared nothing about the Corn Laws, but, like the fraternity who attended fires, they said, "We have no objection to a little mischief;" and if it suited their own views, all the better. The repealers have also said that if the landlords could only be made uneasy, that they would obtain repeal. It might be also difficult to say, if a certain noble Lord whose celebrated publication made so much noise in the world, diffused his lucubrations for the sake of bidding for the affections of the League, or for good graces in a higher quarter. The Gentlemen of Downing-street were ready enough to follow a leader, and many were ready to follow them. He had now taken the opportunity of stating to the House that he could not agree to the measure before it. He could not see the end or effect of this measure. When he saw that an experience of thirty years, with provisions gradually becoming cheaper, and wages becoming lower at the same time, had not produced any great effect, he could not support the present measure. He could not close his eyes to this fact, that to a fearful competition of human beings with machine labour, was now to be added the unrestricted competition of the whole world. If he had found that for thirty years, with an increasing trade, the deterioration of the people still continued, how could he support a measure the object of which was to increase commerce, but at the further expense of the people. The bad condition of Ireland had been quoted in the debate, and the distressed condition of the people of the manufacturing districts had also been mentioned; and he would ask if the intended Bill would improve them? The agrarian population of the county of Wilts had also been shown to exist in a very impoverished and degraded state. The right hon. the Secretary of War, who he believed resided among the people of Wilts, had told the House that the meeting at Goatacre was not an exaggeration. The right hon. Gentleman had said he lived among a population who existed he did not know how, But did not circumstances show that the people of England were approaching to a point as degraded and wretched as the population of the sister kingdom? Did not a large proportion of the people of England live upon the potato, and did they not say, if it were not for the potato they should be reduced to a state of starvation? Did not the farmers run here and there for land? and when they got land, did the wages keep up to a proper level? The manufacturers cried to the agricultural labourers, why don't you come to us? But suppose they went, did the change of locality and work act towards the benefit of these persons? The manufacturers gave high wages, they said; but what did those who were employed by the manufacturers do for their wages? Was not the amount of labour excessive? Statistical returns had been furnished to show the duration of life in the manufacturing districts, and also among agriculturists. In the whole of Lancashire—and much of the population of the county was agricultural and the people very strong—the number of deaths annually was one to every thirty-four of the population. In Liverpool it was one in thirty-four; in London it was one in thirty-eight. Now, with respect to the agricultural districts. In Wiltshire he found the deaths only one in forty-nine; in Dorsetshire one in fifty-six; in Surrey the deaths were one in fifty-two. Look also at the proportion of children who died. In Liverpool it was one in thirty-nine; in Manchester and Salford (manufacturing districts) one in thirty-four. Out of 100,000 children born, 52,198 only attained the age of five years. Surrey, an agricultural county, exhibited a different result. Out of 100,000 children, 79,000 attained that age. Take. also, the tables of the duration of human life, and what did they prove? Just the same result. The duration of life in Liverpool was thirty-six years, London thirty-seven, Surrey forty-five. Refer to the Factory Commission Report, and the condition of the people would be found most abject and most wretched. It was not for so humble a person as he was to give utterance to a prophecy; but he was quite of the opinion of Mr. Gregg, who, in his

pamphlet, had given his opinion and prediction, that no good could result from the present measure. "Wages," said Mr. Gregg, "must fall. Without low wages this country could not compete with the foreigner;" and that writer concluded by saying, that—

"Even with low-priced corn and cheaper provisions generally, with low wages also, prices and the remuneration for labour could not be reduced so much as to allow a successful competition with the foreigner."

The Ministry of the country, had, however, introduced a measure to allow competition with foreign produce and foreign manufacture. They had said they had not changed their opinions on compulsion (for the right hon. Baronet at the head of the Government had once held different opinions upon this subject). But the League existed, and he was of opinion that that body had proved a great compulsion to those at the head of affairs. They appeared to him to possess no moral courage to resist proper enemies. Men find courage to repel the attack of a knife or stick, but to exert moral courage was one of the most difficult of efforts. It had also been said that no sedition had shown its face during their term of office. But if he recollected rightly, something like sedition had existed in Ireland, and which produced the State Trials. He did wish to say a few words upon "honour;" but a great difference of opinion existed amongst men as regarded the application of the term. A Cabinet Minister, and indeed he thought more than one, stated that he had changed his opinion, not for any personal interest, or for personal purposes, but he had given up opinions on honourable grounds. But were Cabinet Ministers only concerned in the question? Was not the question one which affected the condition of the labourer, and did not the measure tend greatly to the injury of that class? If a man extricated himself from difficulty, leaving others in the lurch, that could not surely be considered an honourable course. In conclusion, he would say that at every remaining stage of the measure he should think it his duty to oppose its progress.

MR. ROEBUCK said, that if he thought that if a word of his would add to the length of the debate, he would not utter it, but he wished, without loss of time, to trouble the House on one point; he, therefore, would then only venture to say a few words. With all possible respect for the Member for Oxfordshire, he thought that the observations as to personal interest might as well have been omitted; for he (Mr. Roebuck) did not hesitate to say that he did not believe that that vast array of opposition which now so constantly occupied the forms opposite, would do so without some strong personal feeling. If it was a matter of patriotism only, he could not think that Gentlemen would continue so steadfastly on the benches opposite. But let each talk candidly to the other, and it would soon appear that the real principle at work was self-interest. When the hon. Member for Oxfordshire made his imputation, and said it was the case on that (the Opposition) side of the House, he (Mr. Roebuck) retorted the charge; and if the hon. Member chose to throw about imputations, he might be told that the excitement which was manifested every night on the opposite benches arose because Gentlemen were afraid of their rents being lowered. He would give them the full value of this, for it then appeared that this high and influential party wished to enlist the prejudices of the labourers, and to call up the feelings of the population on their side. They now pretended to be the leaders and the protectors of the people. He had in his time seen many parties play this game. They had first endeavoured to enlist the tenant farmers on their side, but they were too wise to listen to them. Now they called upon the poor labourers to stand by them. He wished to know whether, with all their political feeling for the labourers, they were prepared to entrust the lower classes with universal suffrage on this point? They would not do this: do not let them, then, talk of their sympathy for the people, if they would not give the labouring classes the means of legitimately expressing their opinions. If the labourers decided against him, he should be satisfied. Now they had a great deal of oration on this question, but very little more. The time was to come, but unfortunately the time never had come, when, amongst others, the hon. Member for Shrewsbury (Mr. Disraeli) was about to enlighten the House on all his doctrines of political economy. But the last time the hon. Gentleman enlightened, or endeavoured to enlighten the House, his speech consisted of this sort of proposition—"Now I am of opinion that you are all in the wrong, but this is not the time to prove it." He would leave out of consideration all the garnish that surrounded this proposition of the hon. Member's, because the hon. Member understood perfectly well the temper of the House, and knew that however back-

ward might be his speech—however shallow his reasoning—no matter what fallacies he might put forward—still, if he seasoned it with a little personality, it would be sure to pass. The hon. Member, as a reader, as one engaged in literary pursuits, knew something of the danger of "dipping"—of not studying a book, but merely dipping into it, opening a page and taking a suggestion here and a sentence there, and then appearing very learned by the number of his quotations. The hon. Gentleman in his recent quotations said, that if he had thought of it he would have brought the book with him. Now, the hon. Member did not bring the book, but he brought a selection from it. The hon. Member quoted the work of a friend of his (Mr. Roebuck's), of one for whose opinions he certainly entertained a great respect; so great a respect, in fact, that if on any question (no matter how strong his opinion might be) his friend differed from him, he would consider that circumstance as a sufficient reason for going over, as carefully as he could, those opinions. His friend John Mill had expressed himself in terms which he would by and by quote, on the subject of the laws of interchange of commodities between the nations. The proposition of the hon. Member for Shrewsbury was this: "You cannot grapple with rival tariffs by free trade, and I will show you that you cannot do so on another occasion—I will not show it now, because this is not a proper occasion." One would think, however, that in a debate on the Corn Law, nothing could be more apposite—nothing suited to a discussion of the kind than this very proposition; but the bit of sarcasm had not been sufficiently liberated—the venom in the teeth had not yet come in sufficient quantity—the time had not arrived for going further on that occasion; and he therefore said, "I will put off this grand display, with the understanding that, on the last debate, and in the last speech to be made on this question it will more suitably come forward." That was a very safe arrangement to make, and doubtless the hon. Member will have much of sarcasm prepared for the occasion. The hon. Gentleman the Member for Oxfordshire had complained of inconsistency in the House of Commons, and had reminded him of the quotation formerly made respecting himself by the hon. Member for the University of Oxford, whom he did not see now in his place, "*Quis tulerit Gracchos de seditione quærentes?*" But how applicable would not that phrase be on this occasion! The hon. Member for Shrewsbury said that there was something in the speech of the hon. Gentleman that he had heard before—that it was ringing in his ears—and so it was. It came from the very party with which the hon. Member had been himself engaged as a party man. It came from that (the Opposition) side of the House; and the hon. Gentleman, like many other celebrated actors, had changed his part. He had begun life as a tragedian; but he had since then left off tragedy, and he now found it much more successful to devote his talents to genteel comedy. The hon. Member now forgot his former attachment to the hon. Member (Mr. Hume). The hon. Member forgot that he had been about to follow at one time in the footsteps of the hon. Member for Montrose, and that he had adopted the recommendations of the hon. and learned Member for Cork (Mr. O'Connell). The hon. Member forgot that he had been in the habit of going to meetings at Marylebone spouting radicalism; but if he remembered these things he must recollect that he had heard the sentiments which now seemed to astonish him in their camp, and while these sentiments came back as well-known principles to him, he should recollect that others might have as good a memory as his own. The hon. Member for Oxfordshire said that a statesman is he who is constantly changing his opinions. He should have thought that no Minister could have made up his opinions on coming into office, and have fastened them, as it were, into a faggot, to be thrown aside, or treated as if they were capable of no further improvement. He should, at least, have thought that, at this time of the world, a man should not be twitted about his change of opinion, while another man was found who took up a particular set of opinions, at a time when his own personal interests were concerned, and when he thought he might get something from a party by joining them, and afterwards, on failing by one set of opinions to gain any regard for himself, picks up another, and plays an opposite character from the same motive. For a man to complain of that sort of change was what he could understand; but that change was, he thought, not like a statesman, but like something else. But if it could be shown, and shown clearly, that there could be no cause for a statesman changing his opinion, save a great feeling

for the public good—if it could be shown that in that change all personal predilection were put aside, that party relations, and personal attachments, and old friendships, were all at once endangered for the sake solely of the public welfare, then he would say that that change, however painful it might be, deserved the gratitude of the State, and not its condemnation; and that it could with perfect impunity defy the impotent insolence that chanced to assail it. He would now proceed to show the grounds which really existed for the hon. Gentleman's quotation of the opinion of Mr. Mill. In the book to which the hon. Member had alluded, the following passage was contained in the preface. It was in reference to some expression that Mr. Ricardo had used, and which might induce the opinion that the whole benefit arising from free trade would operate to the advantage of the country where produce was admitted. But when, from the combined labour of two countries, they got a greater return of produce than from the labour of both separated, the question arose how they were to divide the advantage of this increased produce between the two countries most advantageously; and, in considering this point, it was clear the question of loss did not come into consideration at all. The consideration was, which of the two countries was to have all the gain? And on this subject how did Mr. Mill write in his very preface? He said—

"The opinions now laid before the reader are presented as corollaries necessarily following from the principles upon which free trade itself rests. The writer has also been careful to point out that, from these opinions, no justification can be derived for any protecting duty, or other preference given to domestic over foreign industry. But in regard to those duties on foreign commodities which do not operate as protection, but are maintained solely for revenue, and which do not touch either the necessaries of life or the materials and instruments of production, it is his opinion that any relaxation of such duties beyond what may be required by the interests of the revenue itself, should, in general, be made contingent upon the adoption of some corresponding degree of freedom of trade with this country by the nation from which the commodities are imported."

The House would thus see that Mr. Mill excludes, in the first place, all protective duties whatever. Then he excludes the necessaries of life, which of course included corn and the materials and instruments of production. Now, he wanted to know how the opinions of Mr. John Mill could bear on the case, or how they were to be enlisted in a debate in favour of the Corn Laws: considering that these laws involved, first of all, a protecting duty; secondly, that corn was a necessary of life; and thirdly, that it operated on production. Either the hon. Member had not read the book, or he had misquoted it. He could not possibly conceive the hon. Member capable of being guilty of misquoting, and, therefore, he should in charity conclude that the hon. Member had never read the book at all. Again the writer, at page 728, says—

"With a view to practical legislation, duties on importation may be divided into two classes—those which have the effect of encouraging some particular branch of domestic industry, and those which have not. The former are purely mischievous, both to the country imposing them, and to those with whom it trades. They present a saving of labour and capital, which, if permitted to be made, would be divided in some proportion or other between the importing country and the countries which buy what that country does or might export. The other class of duties are those which do not encourage one mode of procuring an article at the expense of another, but allow the interchange to take place just as if the duty did not exist; and to produce the saving of labour, which constitutes the motive to international as to all other commerce....A protecting duty can never be a cause of gain."

This was the book which was to be the support of the hon. Member on some other night when he was to bring forward his own irrefutable arguments, to prove that they could not combat hostile tariffs with free trade. Now, he would ask the hon. Member, when he again entered into the consideration of an author's views, not to quote a work unless he had really read it, and not to enlist any gentleman's name in an argument of that sort, unless he knew what that gentleman's opinions were. He had no doubt but that hon. Gentlemen opposite had learned by this time to value speeches by their length, for if that were not the case the game would not have gone on so long. ["Oh!"] That sort of noise might, perhaps, mean something, but he really could not see what. He had risen merely to correct a former quotation of the hon. Member for Shrewsbury, and, having done so, he had no wish to trespass farther on the time of the House.

MR. DISRAELI said: Sir, I am extremely sorry to be obliged to solicit the attention of the House on this occasion. It is a long time since we have had the pleasure of hearing the hon. and learned Gentleman; and I am sure that, although I may not have reason individually to congratulate myself upon the result of his recent retirement, still we are not sorry to see him again among us. The hon. and

learned Gentleman has been extremely personal, so far as I am concerned, in the comments which he has addressed to the House. I do not make that observation in the spirit of complaint against the hon. and learned Member. I am quite used to such treatment at his hands. He has seldom addressed the House in reference to myself when he has not indulged in observations which I have passed unnoticed, except, indeed, upon one recent occasion, when, after imputations cast upon me by the hon. and learned Member in one or two instances which I conceived not to be Parliamentary, I felt it necessary to make some remarks, which seemed somewhat to irritate the hon. and learned Gentleman. I cannot presume for a moment to occupy the House with the origin or nature of my political opinions. All I can say is, that the hon. and learned Gentleman speaks upon a subject of which he knows nothing. The hon. Member has heard some stories, for which there is no foundation, and which have nothing to do with the subject before the House. I trust, however, to the generous indulgence of the House, if for a moment I dwell upon the remarks of the hon. and learned Gentleman. It is easy for the hon. and learned Gentleman to get up and say, alluding to the hon. Member for Montrose, for whom I entertain, and I believe we all entertain, great respect, that I was at one time ready to follow him. Why, suppose it were so, that would be no very serious imputation against me, for the Prime Minister of England has recently given in his adhesion to that hon. Member. But I don't wish to avail myself of any special pleading, nor even to say that, when a very young man, I entertained different opinions from those which I now entertain. I can't say that. I am not in a condition to have had hereditary opinions carved out for me, and all my opinions, therefore, have been the result of reading and of thought. I never was a follower of either of the two great aristocratic parties in this country. My sympathies and feelings have always been with the people, from whom I spring; and when obliged as a Member of this House to join a party, I joined that party with which I believed the people sympathise. My sympathies are the same now as they were when I first addressed a public meeting long before I entered this House; and I have never given a vote in this House which has not been in harmony with those feelings. I know there are many who don't understand the sympathy which is alleged to subsist between me and the hon. Member for the county of Cork; and, therefore, I entreat the indulgence of the House, after this arranged impromptu of the hon. and learned Gentleman, while I explain it. Our acquaintance was an accident; but though there may be a personal quarrel between us, I cannot on that account change opinions which were founded on historical facts; and I did believe then, as I do believe now, that it was the greatest mistake on the part of the English Government to attempt to rule Ireland by a faction. My opinion then was, that you ought to rule Ireland on the principles upon which she was ruled under one of our best and greatest kings—and I think so still. What error was it in me, then a very young man, if meeting accidentally with a great man who entertained similar views, I declared my own opinions with that unreserve and frankness which I hope I may never lose? Now, to bring these charges against me, if they are properly considered, is perfectly idle; and I advert to them only with a resolution never to mention them again. I continue to hold substantially the same opinions as I have always professed; and when the hon. and learned Gentleman talks of my going into his camp, I never heard that he had a camp. This solitary sentry, who would persuade us he guards a garrison! Who are the Members of this House who sympathise with the hon. and learned Gentleman? What are the opinions he represents? He, a leader of the people! I have always thought there is no greater opponent of real democracy than modern liberalism; and as to popular principles, I believe they are never more endangered than when they are professed by a political economist. But the hon. and learned Gentleman makes a charge against me, because he says that he is the friend of a gentleman whose opinions I have misrepresented. Now, I am in the recollection of the House, whether I spoke in any terms of disrespect of that gentleman; whether I did not, on the contrary, speak of him in terms of high respect; and whether I made any attempt to pervert the meaning of his words. But it was a most unexpected debate, and I spoke without the least previous intention of so doing. The hon. and learned Gentleman, however, says that I have not read the book: that is a stereotype sneer; but I think, if he will lend me the book, as I dare say he will, I could quote some passages, if the leaves are cut and open,

and the book has been read—quite as germane to the matter as any which he has read to the House. [The book was handed to the hon. Member.] The author, in his preface, states that he proposes to offer some additional considerations upon the question which had arisen between Colonel Torrens and his antagonists. Now, I am sure that the House recollects—I am sure that the Prime Minister recollects, because I remember his speaking to me on the subject in the lobby of the House; and that the noble Lord recollects, because some of the letters are addressed to him—that the principle of reciprocity was the basis of the argument used by Colonel Torrens, on the promulgation of the Whig budget; and Mr. Mill says, that—

"Opinions identical with those of Colonel Torrens had been long held by him; and that his writings on the subject were only an elaboration of the fundamental doctrine of that essay;"

and in another place, answering the objections of the pure political economists, so to call them, he adds—

"It is true that exports and imports must, in the end, balance one another. If imports increase, exports must increase also; but then it is a forced increase, produced by the efflux of money, and a fall of prices. And this fall of prices being permanent, though it may be no evil in a country where credit is unknown, becomes a serious evil where large classes of the people and the country itself are under engagements to pay fixed sums of money."

Now, that is only one of the passages which I could quote if I had the time to look through the book; but I cannot now for that purpose trespass further on the indulgence of the House. Surely, then, there never was a misrepresentation which it had taken so much time to prepare. Three months of solitude for an attack upon the consistency of my political conduct—five days of seclusion for an assault on the accuracy of my literary criticism. Was there ever a conception at once so elaborate and so barren! Of all the abortions I have ever witnessed, never was there one to equal this; never was a senator struck with a rhetorical paralysis more remarkable; never was anything more malignant, and certainly never was anything more futile.

MR. S. HERBERT did not rise to pursue the personal altercation which had been carried on on both sides with great powers of sarcasm. He would rather take the advice of the hon. Member who had spoken last, given in the early part of his address, as to the necessity, in the debates in that House, of avoiding all personalities and the use of all violent and intemperate language. With respect to the discussion which had arisen on the doctrines of Mr. Mill, he had no doubt the hon. Member for Shrewsbury, with the ingenuity for which he was eminent, and with the degree of skill he showed on all subjects, would make an excellent case for himself, and show that Mr. Mill was an advocate for reciprocity; but he doubted whether he would show him to be an advocate for hostilities between countries as exemplied by restrictive tariffs. The question the House had to decide was not whether reciprocity was the most favourable system on which commerce could be carried on, but whether they, who were in advance of other countries in the principles of commerce, could induce other countries to assist us by establishing perfect freedom. He would not, however, go into that subject now, as the hon. Member had promised on a future occasion to enter more fully upon it; but if the efflux of money were the evil arising from past experience, the House would bear in mind that those evils had recently arisen, because the demand had been sudden, and we were forced to make exchanges for the purchase of corn we wanted on an emergency by means of specie. He would not repeat the theory of exchanges: nothing had been better put on that subject than it was by Mr. D. Hume in his *Theory of Commerce*, and he had destroyed the theory, which had been resuscitated for use on the present occasion. He was glad, however, to find that hon. Gentlemen who were such great advocates for native restrictions, could venture to borrow from foreigners, and import their political economy from the other side of the Channel. He rose that night more especially because he had been alluded to by one or two Gentleman in rather a pointed manner in reference to the observations he had made on the first discussion of the Corn Laws; and he congratulated hon. Members on their memory, if they could recollect anything so far back. Yet attacks were made on persons with whom he was connected, in consequence of the observations then made by him. The hon. Member for the county of Oxford had alluded to the state of the labouring population of late years, and had said it was true that the Returns on the Table showed a great reduction of duty, and that there had been a great increase of commerce and a great increase of trade; yet that it had been forgotten

to consider other circumstances which had contributed to these good results more than a reduction of the restrictions on imports. But when the hon. Member said that crime had increased with the increased population, he could scarcely have looked at the Returns for the last few years that evening laid on the Table. [Mr. HENLEY: I spoke of thirty years.] He (Mr. S. Herbert) wished to speak of the last three or four years, that he might have stronger proof of the effect of the commercial alterations. There had been—and for the first time for some years—a marked diminution of crime in the country. But there had been an allusion made by the hon. Baronet who sat behind the hon. Member, a reference to the agricultural districts of the south of England, and to the great degree of suffering which existed; and he had said that he (Mr. Herbert) had adduced this as an argument for an alteration of the Corn Laws, and coupled this with remarks not very complimentary to the farmers in his part of the country for their hardness of heart in paying their labourers such low wages. Now, no one could regret more than he did the low wages paid; he had spoken with great sincerity of the suffering in his own county; but one of the hon. Gentlemen had made him responsible for their suffering, and had asked why he did not provide a remedy. Now, with respect to wages, he was not speaking of wages paid by gentlemen among whom the rate of wages was above the current market price, but he spoke of the wages paid by farmers; and he must say, that they could not expect wages higher than the market price to be paid by those engaged in the ordinary farming trade, and it was no discredit to the farmers that they did not force up wages. It was not the men who were to blame, but the system. The hon. Member for Oxfordshire said, that the great test of prosperity was the amount of population; but these low wages existed in the counties where the population bore the largest proportion to the quantity of soil to be cultivated; and he thought, if the hon. Member had watched the course of events in this country and in Ireland on the subject of the amount of population and prosperity corresponding, he would hardly, after that experience, have advocated this opinion: his own opinion was, that the labouring population in the south were most distressed, not from the want of a conscientious discharge of their duty by the farmers, but because protection caused a slovenly agriculture, and thus diminished the labour which ought to be employed on the farms. His right hon. Friend had never stated, as might be supposed from the speech of the hon. Member for Oxfordshire, that all the agriculturists, except those who possessed capital and skill, would be ruined by the present measure. What he stated was, that if those who had no skill and no ingenuity chose to go on in the beaten track, then that, leaving competition with foreigners out of the question, they would never be able to compete with those of their own countrymen possessing greater skill and capital. There had been many of these prophecies of ruin to the agricultural interest. Mr. Burke lost his seat for Bristol for advocating free trade with Ireland, which, it was said, would ruin the trade and agriculture of England. The Duke of Richmond predicted injurious consequences from repealing the duty on wool; yet the price of wool and of sheep was never higher than at the present moment. Then there were prophecies of ruin from the importation of cattle, which had no better foundation. The opinion of great agricultural and even protectionist authorities now was, that it would be well if we had much larger importations of foreign cattle. Yes, they were in want of additional stock to furnish manure for their land. It was all very well to say that there had been a murrain in the cattle; that was another reason for importing supplies from abroad. The scientific farmer always said, "We cannot cultivate our farms properly when we have such enormous prices to pay for our stock." These falsifications of previous prophecies had done much to conciliate the minds of the agriculturists to the changes about to be made. The noble Lord (Lord G. Bentinck) was a master in the science of agitation; but he looked in vain during these debates for a repetition of the statements made at public meetings before Easter, when they were threatened with foreign wheat imported at 25*s.* per quarter. The farmers, whatever Gentlemen below the gangway might think, were a much more acute and reasonable race than to believe such statements. If any candid Gentleman unconnected with political parties were to perambulate the country districts at the present moment, he would find the prevailing sentiment to be, not the apprehension of inability to compete with the foreign grower, but the wish that this Bill should pass, in order that they might have some cer-

tainty in their proceedings. Nor were the farmers the only class who were suffering from the present delay; the manufacturers and every class participated in the injury from this cause. The hon. Member for Oxfordshire had alluded to the question how far the measures proposed by Government were applicable to the state of things in Ireland. But the hon. Member must admit that the noble Lord who addressed the House to-night (the Earl of Lincoln) had given an account of the state of that country which rendered it necessary to take some measures for relieving the existing distress. If it were true that even the seed of next year was scarce, there was a probability, or at all events a possibility, of suffering and want arising from the absence of the staple food of the country, which threatened to become a permanent evil. If so, it was the duty of the Government to apply a permanent remedy. The noble Lord (Lord G. Bentinck), in reply to a question from the hon. Member for Limerick, said he was willing to consent to a suspension of the Corn Laws for three months with respect to Ireland. The noble Lord must have had some sounder reason for granting it than that it could be of no use. First, he said it would do no good to Ireland; then he said that no disease existed in the potatoes in that country; but although he avowed his belief that there was no necessity for a suspension of the Corn Laws, and that those who entertained such an opinion were labouring under a delusion, he expressed his willingness to accede to a temporary suspension of those laws with relation to Ireland. He (Mr. S. Herbert) must confess that he did not understand the noble Lord. The hon. Member for Oxfordshire had expressed his opinion that the measures proposed by the Government would not be attended with beneficial results, and had said that he considered the course taken by Her Majesty's Ministers were not consistent with honour. [Mr. HENLEY intimated his dissent.] As the hon. Member for Oxfordshire denied having made such an observation, he must at once admit that he was mistaken. "But," continued the right hon. Gentleman, "this I must say, that Gentlemen, in judging of what constitutes public honour, must look to the situation in which public men are placed, when dealing with great difficulties and emergencies, and they must not consider that, under a great change of circumstances, and in a pressing emergency, when the public interests are at stake, those who are responsible for the conduct of public affairs are to be bound by this or that speech which they may have made on questions of a fiscal or commercial nature. To those who think that the measures of the Government will not relieve the distress they are intended to alleviate, I concede the fullest right to quarrel with our policy. I concede to every one of my hon. Friends—for notwithstanding the obloquy and abuse which have been heaped upon us, I cannot forget that they have long been my friends, politically and privately—the fullest right to act upon their own opinions. All I ask is, that they will give us that credit which all men of honour concede to one another—the credit of having acted from conscientious conviction, and with strict purity of motive. I ask that they will not cast upon us any mean or pettifogging imputations of having acted from narrow and interested motives; but that they will give us credit for having acted like men who look upon politics not as a means of gain or of obtaining distinction, but as affording an opportunity for exercising the noblest functions which in this country can be confided to individuals—of doing all in their power to promote the public welfare. I ask from you, therefore, fair consideration of our conduct. Abuse I am prepared to meet, and there is some of which I would rather be the object than the author. But I am convinced that when the heated passions of these discussions have subsided; when the truth shall have shone through all the mystification with which our measures have been met; when illogical inferences from untold facts are forgotten; when we are no longer puzzled by arithmetical mystification of what seems plain to every ordinary mind; when the lapse of time has caused the great pressure of present exigencies to be fully appreciated; when the effects of these laws during a time of scarcity shall have been experienced—then it will be acknowledged that we should indeed have been traitors to our party and to our country if we had induced hon. Gentlemen, at a moment when hunger and famine were threatening a large portion of the community to oppose the alteration of laws which have for their object the restriction of the import of food, with a view to the enhancement of its price. I do not impute improper or unworthy motives to any hon. Gentlemen who oppose our proposition. I think that, in consequence of the course

of legislation adopted in this country at the termination of the war, it was necessary, gradually and cautiously, to relax and remove those restrictions by which the importation of food was prevented. I believe that violent and sudden measures to effect that object, previous to those improvements which science, skill, and experience have enabled us to effect in agriculture, would have been dangerous ; but I maintain that we have now arrived at a point when every year we grow our agricultural produce at a less cost ; and you will find by an examination of the continental prices during a long series of years, that while our wheat has been produced at a progressively cheaper rate, there has been a gradual rise in the price of foreign grain. The pressure of distress in a neighbouring country now renders it incumbent upon us to afford facilities for the importation of food, that we may endeavour to wean the inhabitants of that country from the low description of diet upon which they have subsisted, and accustom them to more wholesome food. I consider, so far as the state of parties is concerned — whether we look at the agitation of the League, or of the protection of societies—that now is the time when this object may be effected without any imputation being thrown on those who support such a measure of fear of physical violence or submission to mob dictation. In the whole course of my short experience of public affairs, I do not remember any period when these questions were discussed —as all political questions are now discussed—with so much regard to the sound reasons and arguments on which they can be supported or opposed, and with so little reference to the dangerous influence of an unreflecting, but a physically and numerically powerful majority. I need not say that I hope the House will pass this measure ; but I trust also, that many of those gentlemen who differ from us *toto cœlo* as to the grounds on which we are acting, will give that just and fair consideration to our motives to which, as men of honour, we are entitled. I trust they will make due allowance for the circumstances under which it has been our duty to meet existing necessities—if necessities do exist ; that they will not consider that we have neglected our duty because we have faced the danger with measures which I admit to be bold and to be vast in their operation; but which were brought forward at a time when the position of the country was most critical, and which, even before their adoption, have already had a great and sensible effect in checking the evils they were designed to meet, by keeping the price of food within such limits that the poorest labourers in this country and in Ireland have the prospect of obtaining, by the exercise of industry, sufficient food to preserve themselves and their families from the horrors of that scarcity which has resulted from the failure of a crop on which many of them have been accustomed to depend for subsistence."

Mr. HENLEY said, the right hon. Gentleman laboured under a mistake in attributing to him the observations to which he had referred in the course of his speech. What he had said was, that two Cabinet Ministers had recommended the hon. Gentlemen with whom he acted to pursue a course which he considered they could not take consistently with honour ; but he had given no opinion as to the course adopted by Her Majesty's Government being consistent or inconsistent with honour.

Lord G. BENTINCK said: My right hon. Friend the Secretary at War has been pleased, Sir, to refer to me, and to accuse me of having excited the public mind. I cannot say that I reproach myself with that, and I cannot claim any merit for not having agitated the country. Sir, I never attended any public meeting, and never addressed any speech, or any written letter, to any party on the subject now before the country—I never uttered a word in public upon it, until I felt it to be my duty to address this House. If, then, I have agitated the country, that agitation is restricted to the speeches I have made in this House. But, Sir, I must confess I was not a little surprised to hear my right hon. Friend taking this tone, inasmuch as I could not but think that the imputation of being an agitator was much more applicable to my right hon. Friend himself, who was formerly wont to be toasted, on public occasions, as equal in eloquence, and superior in honesty, to the right hon. Baronet at the head of the Government. The right hon. Gentleman was the agricultural protector ; and on him, in the course of last December, when the Government was in a state of dissolution, did the agriculturists rely ; and when we call to mind the speeches which my right hon. Friend made both in this House and on the hustings, we cannot be surprised that the whole agricultural mind of England had the notion that he, and not I, was to be its leader. Why,

Sir, my right hon. Friend now stands up in this House and holds a high tone on the subject of the Corn Laws; and he would have you to believe that the way to improve the agriculture of this country—and more especially in Wiltshire, where the cultivation of the soil is conducted in a slovenly manner—is to repeal the Corn Laws. It was only on the 3rd of June last that, in answer to the hon. Member for Sheffield (Mr. Ward), my right hon. Friend addressed this House, and called upon it, as well as upon the agricultural interest out of the House, to resist the Motion of the hon. Gentleman to go on as they were then going on, making, as he said they were, the most manful exertions, and to resist the seductions of the hon. Member for Stockport, who had been endeavouring to prove to them that the way to improve their land and to increase their profits was to reduce the value of their produce. The right hon. Gentleman the Secretary at War has referred to the case of Ireland, and has again, as one of the Ministers of the country, repeated the misrepresentation of the motive of the measures which we (the Protectionists) were prepared to pass in regard to that part of the kingdom. The right hon. Gentleman has stated that we were ready to suspend the Corn Laws in order to give relief to the people of Ireland. Sir, how often have we repeated that, in assenting to that measure, we were, at the same time, convinced that it would not afford any relief to that country? How often are we to repeat that—at least in our opinion—there is no portion of the United Empire that would be so much injured by such a course as Ireland? ["No!"] What! will Ireland not be injured by a repeal of the Corn Laws? What, let me ask, is going on in Ireland now but the clearances of property and the laying down of tillage land in grass, because it is found to be more profitable to feed cattle than to grow corn? When you reduce the price of wheat and of oats by admitting foreign wheat and foreign oats into competition with them, do you not think that you will be increasing the desire, on the part of those who have land, to throw that land out of cultivation, and to grow cattle instead of corn? And will not new clearances, think you, take place—will not this mischief be scattered over the whole land of Ireland? The noble Earl (Earl of Lincoln) has told you, that he is responsible for all the information that has been given to this House respecting that part of the kingdom by Her Majesty's Government. I think, however, that my noble Friend is a very credulous Minister. He said, when at Falkirk, that he believed in a compact, which had no existence but in the imagination of my noble Friend. I will not charge him with wilful misrepresentation, nor of making a handle of that which he knew not to be true, in order to advance his election at Falkirk: all I will say is, that he gave too ready an ear to all that came near him—and now, when I consider that, I can the more easily understand how it arises that we have heard such exaggerated reports of the famine in Ireland. Sir, we have never denied that there was scarcity in certain parts of Ireland. What we have said has been this—that there is partial scarcity, but no famine—and this I verily believe to be the true state of the case. We have heard from my hon. Friend the Member for North Northamptonshire (Mr. Stafford O'Brien) an account of the state of the counties of Limerick and Clare, in corroboration of the statements of the noble Earl; and I rejoice to be able to afford to my hon. Friend some consolation for the fears he may entertain in regard to a famine in Limerick. I have here a return of the produce of Limerick, which has come to England in the course of the last six months. Sir, there have arrived between the 5th of September and the 24th of April last, from the Shannon and its tributaries, no fewer than 71,000 quarters of wheat, 6,000 quarters of barley, 268,000 quarters of oats, 55,000 cwt. of flour, and 34,000 cwt. of oatmeal—making, altogether, upwards of 345,000 quarters of grain imported into Great Britain from the port of Limerick and its tributaries alone—and upwards of 89,000 cwt. of flour. This, Sir, is sufficient to show that it is not food that is wanted in Ireland, but that what that country is suffering from is the want of money and want of employment for the people. I am ready to give the noble Earl great credit for the assistance which he afforded to my hon. Friend the Member for Northamptonshire at a period of necessity; and I admit that the Government has sent some 43,000 quarters of maize to assist the Irish people; but I also find that, in the meantime, 10,000 quarters of oats have been imported from Ireland into the port of London alone—whilst into the ports of Liverpool and Glasgow 40,000 quarters of oatmeal, have

also been brought from Ireland; so that in the course of last week there was actually more corn imported from that part of the country which was said to be starving than had been distributed there by Her Majesty's Ministers. What we have said then, and what we now say again is, that there is abundance in Ireland; and I defy the hon. Gentlemen opposite to contradict me. There is, indeed, greater abundance of food in Ireland than has ever been known. Now, if the Government had purchased this grain in Ireland, instead of buying grain at home and having to reimport it into that country, they would have had the advantage of obtaining it at the cost price; and they might have sold it at that price to the advantage of the people. My right hon. Friend is a farmer himself, to a certain extent; and what would he think if he was obliged to get back his oats from the market where he sent them! Now, my right hon. Friend the Secretary at War has made some references, in the course of his speech, to the wages of labour, and has stated what they are in Wiltshire. Though I hold no property in Wiltshire, I am a tenant-farmer on the borders of that county; and, I dare say, I employ more labourers than my right hon. Friend. I know what are the wages we pay there. I know that, in 1836 and 1837, the wages we paid in that part of the country were 9*s.* a week; but the price of wheat rose—not from 40*s.* to 78*s.*, as my right hon. Friend has argued, but yet some 8*s.* or 10*s.* a quarter—and the wages last year were raised 1*s.* a week, and I believe I am only paying, in giving that sum, the same wages as others, and that amount I am still giving. At all events that is the rate of wages I am now paying my labourers in that part of the country; therefore I cannot help coming to the conclusion that there has been no little exaggeration on the subject of wages. There is also a great exaggeration on the subject of famine in Ireland. I have said so before, and I will now repeat it. I charge Her Majesty's Government with wilful exaggeration as respects the famine of Ireland. While I am on the subject, I want to know, Sir, why we have not had all the reports which I am aware Her Majesty's Ministers have received. I should like to see the reports of the Commander in Chief in Ireland, of all the Poor Law Commissioners that have been sent there, and of the inspectors of prisons. I know something about these reports, and I am therefore desirous to have an answer to my question. I, too, have had information from Ireland; but it is of a very different character from that furnished by the Government. I hold in my hand the letter of a gentleman carrying on the business of a cornfactor at Youghal, in the county of Cork, and in that letter it is stated that the writer has had communications from houses in Glasgow, stating that the stock of wheat on hand is unusually large. The writer encloses two circulars to that effect, and adds, that in so far as the statement of distress in Scotland is coupled with the cry of famine in Ireland, there is obviously no foundation for it. The writer then went on to state that—

> "He was fully persuaded so superabundant was the potato crop in Ireland, that if one-third of the whole had been destroyed, the loss would not materially affect the supply of food; and that the hue and cry raised by the Government upon the subject, and echoed by the agitators, had contributed very much to the apparent scarcity of provisions, by causing the more opulent farmers to keep back their stock of potatoes with the hope of obtaining increased prices."

That is the statement and these the opinions of a man who is interested in the rise of prices of provisions. Coupling this with other information which I have received, I have no hesitation in saying that the Government has greatly exaggerated the case of distress in Ireland. My noble Friend said that the peeople of Ireland are now deriving the benefit of the importation of Indian meal made by the Government, inasmuch as the supply of that article has opened the hoarded potato stores; but I have had a letter from the Earl of Shannon, in which it is stated by that nobleman that potatoes are in abundance in his neighbourhood, only that hitherto they have been hoarded. And it is also stated in it that Her Majesty's Ministers only a week since refused to take the Indian meal out of store, in order to keep up the cry of famine in Ireland, for the purpose of carrying their Corn Law measure in England. Thus the House will perceive that there are two stories in Ireland as far as regards the conduct of the Government. With respect to the importation of Indian meal, in relation to which the Government has spoken so highly of their own exertions—what, after all, does it amount to, taken as a proof of their proposition? If there is, as they allege, a famine in Ireland, what will 40,000 or 50,000 quarters of maize do towards relieving it? Why, there has been

as much grain imported from Ireland during the last week into the ports of Glasgow, Liverpool, and London, alone. My right hon. Friend has taunted us with taking our principles of political economy from the French writers—from the other side of the water: but I wish my right hon. Friend and the Government had taken a lesson out of M. Guizot's book, in relation to this measure. If they had done so, the country would have wiser and firmer institutions than it now has. But there are other great authorities besides M. Guizot and M. Thiers, for the protection of native industry: there are Mr. Pitt and Mr. Fox, Mr. Canning, Mr. Huskission; and there are other authorities of older date, and farther back in the history of the country: there is Cromwell, and all the great men of his age. The navigation laws, originated by Cromwell, have been the cause of this country's greatness. And, Sir, when I name Pitt, Fox, Canning, and Huskisson, I am only naming those great men whom the two right hon. Baronets were continually in the habit of referring to so long as they were in the vigour of their intellect; and I think I may assert that their advocacy of free trade is only their sexagenarian policy. It was ever the doctrine of the great masters before us—of Canning and of Huskisson—that we should care not how cheap corn might be, so long as that corn was grown at home—and let me tell the hon. Gentlemen opposite that we deny altogether that we are endeavouring, in maintaining protection, to serve our own interests, for that we believe that the manufacturing and the agricultural interests are intimately connected with each other. We believe that the result of these measures will be that the landlords will suffer, that the farmers will suffer, that the labourers will suffer, and that the shopkeepers will suffer. You want to change your old customers for new; but before you do, calmly reflect whether the new will be better than the old. What are the exportations of manufactured goods, of every kind of produce in this country, as compared with our home consumption? Your argument is, "If you will allow us to take grain from abroad, the foreigners who sell us the grain will take our manufactured goods in return. But that argument does not appear to apply now, for you take more produce, as far as value goes, from America, and all the corn-growing countries of Europe, than they take manufactured articles from you. Well, Sir, this is a dangerous principle; for if we are to legislate for the future by the experience of the past, we are not warranted in supposing that the producers of that corn will take an equivalent for it in our manufactures. Your arguments, then, go for nothing; because if you do not buy of your own customers, how can you expect that they will buy from you? You are repeatedly changing old customers for new—you are casting away a substance for a shadow—you are about to verify the old story so happily told by my noble Friend the Member for the city of London—you are like Aladdin, exchanging the old lamp for the new. Sir, these are the reasons which influence me in advocating the continuance of the protective system. I know that we benefit by the prosperity of the manufacturers—I know that when they are prosperous and when your labourers are in the receipt of full wages, they consume more corn and more meat, and the increased demand increases the price of the produce. Our prosperity adds to yours. When we prosper we purchase your fabrics; and are we not as customers worthier by a thousand times than the customers of foreign countries? Is this a time when wheat—no, I will not say wheat, but rye—has risen one hundred per cent, to change the protection laws? Is this the time, when the granaries are fuller than ever they have been known to be at the same period of the year, and when the granaries of other countries are comparatively empty—is this a time, when your prices are equal and steady, while those of other countries are fluctuating—is this the time, I ask, when by prudent laws you have plenty here at home, while other lands are not so well supplied—is this, I ask, the time that you select for destroying a commercial policy which has been so eminently successful in its operation? I said that the price of wheat had fallen in this country. I hold in my hands returns from the 288 towns under the notice of the corn proprietors for four years, and what is the result? I find that in 1842, allowing for the first three months in the year, when there were but 155 towns in the list, that the amount of grain brought to market was 4,568,248 quarters. In 1843, 5,302,298 quarters; in 1844, 5,456,307 quarters, showing a gradual increase in the produce of the land; but in the year 1845, the increase rose to 6,470,469 quarters, thus showing an increase of 1,300,000 quarters on the average of three years. How, then, can

it be said that any laws can work better than those which now exist? I will now refer to another return, inasmuch as I find that Her Majesty's Ministers still harp on the Irish question. I had hoped that the Ministers would have given that point up on the ground of the so-called Irish famine being in a great measure an imposture. It seems, however, that we are to hear more of it. Now, I wish the House to understand that I have not sought those returns, that I have not asked for them, but that persons are continually sending them to me by post. Respecting those returns, a Mr. Skipper, of Liverpool, wrote to me; and, speaking of the immense arrivals from Ireland, said, that no less than 10,900 quarters of wheat, 6,000 quarters of oats, and flour and oatmeal in proportion, had arrived lately at Liverpool. After referring to that enormous supply, Mr. Skipper proceeded to say—

"The supply sufficiently confirms the universal opinion here, that abundance of feeding stuffs are held in Ireland, and only withheld in anticipation of the scarcity so confidently predicted at the opening of the Session."

He further added—

"I may mention, the import list is made up authoritatively, and not by each individual merchant."

So here, you see, this is the present opinion in Liverpool, one of the greatest towns in the country, and one in which the deepest apprehension was at one time entertained respecting the cry of famine. The merchants of Liverpool now, however, find that the cry was originally created for the purpose of raising prices. We know who it was who raised that cry in the early part of the Session. Sir, the documents I have received are not partial ones. I hold in my hand a circular dated from Birmingham, but the signature of which has been studiously erased. It is dated "Birmingham, third of fourth month;" and therefore I presume the author is a Quaker. Indeed, I have little doubt but that Mr. Sturge was the writer. Let us see what it is he says of the state of the corn crop. He states that the corn returns for six months, ending 2nd inst., exhibited an increase of thirty per cent, but that during the last three months they only exhibited an increase of six per cent, as compared with the corresponding three months of last year. This is good authority that there was no dearth in the land on the 2nd of April. My right hon. Friend the Secretary at War has stated, that notwithstanding the alarming statements which have gone abroad, and the agitation which has prevailed on the subject of the repeal of the Corn Laws, that there have been no county meetings held to advocate the maintenance of the present system; but I take leave to ask him whether there has not been an election for South Nottingham? Who carried that election? Was it not the tenant-farmers of the county? Why, all the personal regard entertained for my noble Friend (Lord Lincoln), and all the money spent so profusely by my noble Friend at that election, were utterly unavailing to procure a popular demonstration in favour of the newly-adopted principles of the Ministry. I am not going to charge the noble Lord with bribery; but can he deny it was a most expensive election? [The Earl of LINCOLN reminded the noble Lord that, having already spoken that night, he was precluded by the House from making a speech in reply to such charges.] I am sure the House will permit my noble Friend to have an opportunity of setting himself right with them, in case he should feel himself aggrieved by anything that may fall from me. This indulgence I pray may be granted to him. But, Sir, do we not all know that every electioneering agent in Nottinghamshire was retained in the service of my noble Friend? South Nottingham was taken by surprise; but the tenant-farmers of the county carried the field against my noble Friend, by a majority amounting to something between 600 and 700. And are we to have set against that magnificent demonstration of popular feeling, the assertion that the noble Lord's majority of 121 in the borough of Hamilton has swamped the constituencies of other boroughs, and gives an unmistakeable indication that public opinion goes with the policy of the Ministry? Such an assertion were preposterous. No public meetings! Was there not an election at North Nottinghamshire? And did not Gloucestershire and Dorsetshire follow the example? Who was better entitled to have a seat in this House than my Lord Ashley? And who would have been at the head of the poll in Dorsetshire if he had maintained his ancient principles, so surely as that noble Lord? No one! But Englishmen are true at heart, and detest tergiversation. They hate broken pledges and broken faith, and cannot endure to be betrayed. And when I remember that my hon. Friend who successfully opposed the

noble Lord at South Nottinghamshire when last he stood upon the hustings at Newark, congratulated the electors of the county, and made it his first subject of felicitation that they had refused to be cajoled by the last fabrication from the workshop of trickery and delusion, and told them that he gloried in his country, for it was not two counties only which had scouted the cry of cheap bread, but that the cities and boroughs too had refused to be quieted by the last fugitive humbug of a dying faction —when I remember that it was in this strain that the electors were addressed, can I wonder that they, being themselves men of firm purpose, of stable minds, and lovers of consistency in the people's representatives, that they repudiated the noble Lord, and declined to hold communion with those who had become turncoats at the beck of Her Majesty's First Minister? Sir, I am rejoiced that the people of England have shown themselves true to themselves—that they have manifested their irreconcileable aversion to, their unmitigated contempt for, political inconstancy, political vacillation, and political tergiversation; and that they concur with the great Burke—an authority so often quoted in this House—in thinking that he who would seek to act as the representative of a great constituency ought to be a man of stable mind—a man of firm resolve and faithful purpose—fit to be a pillar of the State, and not a weathercock on the summit of the edifice, capable of no other office than to indicate by his own versatility the last shiftings of the uncertain breeze.

The EARL of LINCOLN: Sir, I know it is irregular to rise a second time in the course of a debate; but I trust, after the laboured attack made on me by the noble Lord—after the manner in which he has obviously kept back, for this especial occasion, the envenomed bitterness which I suppose former friendship is considered to justify—after the deliberate and prepared assault made on me by the noble Lord, when he knew that I was not entitled by the rules of the House to rise and reply—I do hope that the House will allow me to trespass on its indulgence for a few moments. I will promise the House not to enter into particulars with regard to any other points than one on which he has attacked me. I shall explain nothing of my hustings speeches; any explanations respecting them will be reserved for another and more fitting occasion, for at any time I do not consider them to be of such importance as to occupy the attention of this House. [*Ironical cheer from* Lord G. BENTINCK.] Sir, I have no objection to meet the noble Lord's charges upon another occasion. I am perfectly ready to meet him or any other man, and it is only in deference to the House, and the rules of the House, that I do not meet them now. The noble Lord is welcome to attack every word and every act of mine; I will justify every word, and defend myself. But I will on the present occasion confine myself to the charge which the noble Lord has made as to bribery at the South Nottinghamshire election. I think the noble Lord might have taken warning by the fate of a friend of his, who made the same charge at the election for South Notts. He made the charge upon the hustings, that I, or some of my friends, had bribed. I distinctly denied it. He stated that he had the fact from unexceptionable authority. I called upon him to give up that authority. He was silent. I said if this charge were true, bribery was punishable by the laws of the country, and that if bribery was committed by me or by my friends, we might be prosecuted. I challenged him to prosecute me or any of my friends. Did he take up that challenge? No: but he replied that the Free Trade Committee of Nottingham had bribed. Well did they sit quietly under the imputation? No; they asked him for his authority; and the hon. Member for Nottingham repeated the demand in this House, and I must say a more miserable appearance was never cut by any person than by him who made the charge on that occasion. It is unworthy of the noble Lord to tread in the shoes of a young man who came forward for the first time in political life by making this charge against me. But I tell the noble Lord, as I told him, that it is untrue, and that not one farthing was spent by me in bribing at the Nottinghamshire election. It was not an expensive election—it was not an expensive election at the rate which county contests necessarily and invariably cost. The necessary legal expenses are always heavy; but, compared with ordinary county elections, the expenses of the Nottinghamshire election were not high. The noble Lord says that I took the county by surprise. Sir, the county was taken by surprise, but not by me. The county was canvassed before I vacated my seat; and it was in consequence of that canvass that it became incumbent on me to engage so many agents. The charge of bribery as

against me, is untrue, and there was nothing spent illegally on my part. But the noble Lord may, perhaps, know that something was spent in bribery. He may know that a noble and influential Member of his own family contributed largely to the expenses of that election against me; and it might have been wiser for the noble Lord, recollecting that circumstance, to have abstained from making the charge against me. I need not mention the sum to the noble Lord, for I suppose he knows the amount himself; but, recollecting the fact, I think it would have been more prudent in the noble Lord if he did not touch on that subject. Having contradicted the statement of the noble Lord most peremptorily, and I hope, satisfactorily, I now tell the noble Lord that I shall be prepared to meet any other charges he has to make against me. I feel I may have made only an imperfect reply to the noble Lord's studied attack; but I think I have answered the charge, to which I said I would confine myself, and I hope I have not trespassed too long on the House.

SIR C. BURRELL, with the permission of the House, would withdraw his Amendment.

MR. LAW'S Motion and the Amendment withdrawn. Amendments made by the Committee on the Bill agreed to. Bill to be read a third time on Monday.

House adjourned.

HOUSE OF LORDS,

Monday, May 11, 1846.

MINUTES.] PUBLIC BILLS.—2ª. Friendly Societies. 3ª. and passed. High Constables.

PETITIONS PRESENTED. By the Earl of Eldon, and other noble Lords, from several places, against the Charitable Trusts Bill.—By the Bishop of Bath and Wells, from Pontesbury, and several other places, against the proposed Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—By the Archbishop of Canterbury, from Padstow, Harrowgate, and Westerham, for the Better Observance of, and for the Prevention of the Sale of Intoxicating Liquors on, the Sabbath.—From Guardians of the Woburn and Shardlon Unions, for the Adoption of a Measure making the Landlords of Cottages, where the Rents are under £6, liable for the Poor Rates.—From Tadmoor, and several other places, for the Protection of the Agricultural Interest.—By the Earl of Roseberry, from Free Synod of Lothian and Tweeddale, praying that a Bill may be passed for compensating Proprietors of Lands for the Purchase of Sites for Churches.—From Maybole and Kirkwall, in favour of the Principles of Free Trade.—From Merchants, Artificers, and others, of Ballinasloe, praying that so much of 6 and 7 Will. IV. Cap. 116, as tends to Relieve the Estates of the Landed Proprietors in Ireland from the Grand Jury Cess (Ireland) Tax, may be Amended.

RELIGIOUS OPINIONS RELIEF BILL.

The BISHOP of EXETER then rose and said, he would now proceed to his Motion, agreeably to the notice which he laid on their Lordships' Table a few nights ago. Their Lordships would readily believe that it was with great reluctance he addressed himself to such a course of proceeding. They would also readily suppose that he had hesitated much before he could bring himself to propose to their Lordships to give the learned Judges that additional trouble which would be imposed upon them, if these questions were proposed to them at a time when, as he was well aware, they were much oppressed by the regular business of their high office. Nevertheless. when he saw what noble and learned Lords there were in that House, he was not without hope that it would not be necessary to occupy the time of the learned Judges; for if he could persuade himself that those noble and learned Lords would give their minds judicially to these questions, and not look upon them merely as upon political questions brought before them, he did not know whither he could resort for better opinions as to what the law of England was than was to be found within their own walls. He was in great hope that the noble and learned Lord on the Woolsack would feel himself bound particularly to regard this matter with a judicial mind; there were circumstances attending this matter which especially encouraged him in that hope, inasmuch as the Bill, for the better understanding of the operation of which he held it necessary to propose these questions, was brought in by that noble and learned Lord. It was he (the Lord Chancellor) who proposed to strike out of the Statute-book those important statutes, or parts of statutes, which had been heretofore considered as the main bulwarks of the Constitution of England—of England as an independent monarchy. In the Bill then before their Lordships' House, their Lordships were invited to repeal so much of the Act passed in the 1st of Elizabeth, intituled "An Act restoring to the Crown the ancient Jurisdiction over the Estate Ecclesiastical and Spiritual, and abolishing all Foreign Powers repugnant to the same," as made it punishable "to affirm, hold, stand with, set forth, maintain, or defend, as therein mentioned, the authority, pre-eminence, power, or jurisdiction, spiritual or ecclesiastical, of any foreign prince, prelate, person, State, or potentate, theretofore claimed, used, or

usurped within this realm." Their Lordships would observe that the words "theretofore claimed" must refer to the period antecedent to the reign of Queen Elizabeth. Their Lordships were therefore asked, by repealing this Act, to make it no longer punishable to assert the supremacy of the Pope, as theretofore exercised in this country. Then what was it they were asked to do? Need he remind their Lordships that, before the time of Queen Elizabeth, the Pope had claimed and exercised the power of deposing King John, and that the same Pope, Innocent III., claimed jurisdiction over his successor in these words, as quoted by Matthew Paris. "Is not the King of England (speaking of Henry III.) our vassal, or rather our slave?" Yes, this was the power which might be exercised with impunity if they passed this Bill, unless there were in the existing law some reserved vigour to protect the Constitution against the attempts made, he would not say by the noble and learned Lord on the Woolsack, but in the Bill which that noble and learned Lord had laid on the Table, and had prevailed upon their Lordships to give a second reading to. He need not remind their Lordships that at no very remote time Paul III. had deposed King Henry VIII., and released his subjects from their allegiance; and that only just before this Act passed, Paul IV. acted with equal violence towards Queen Elizabeth, and declared that it was the height of presumption that she should claim the Crown of England without his permission. It was on this account that this Statute was passed in the first year of the reign of Queen Elizabeth; and he repeated that, unless there were some inherent rigour in the laws of England which, in spite of the Act proposed by the noble and learned Lord, would make it penal for any one to put forth the power of the Pope to its former extent, they would be no longer protected against the assertion of that power. The object of his Motion, therefore, was that their Lordships should inquire of the Judges whether there was that inherent power in the Constitution of England — whether there was sufficient power in the other laws of England, were this repealed, to reach such offences as this? He had thought it right, in proposing this Motion to their Lordships, first to submit what was not directly asserted in this Bill, or the Act which it proposed to repeal. He wished to ask "whether it was an offence against the law of England, and punishable by the same, by writing, printing, teaching, preaching, express word, deed, or act, advisedly and maliciously to deny the Queen's supremacy?" He repeated that an express denial of the Queen's supremacy was not included in the Act of the 1st of Elizabeth. That Act simply asserted the Queen's supremacy, and said nothing about the denial of it; nor was it included in the Bill then before them. He would hope that the Queen's supremacy in spiritual matters, and over estates spiritual, was so clear, undeniable, and unquestionable a part of the Constitution of this land, that, to deny it, must be a grave offence, and punishable at common law; but it was absolutely necessary that the House should know whether such were the case or not before they consented to repeal the penal enactments contained in the Statute of the 1st Elizabeth. On the subject of the Royal supremacy, they had the highest legal authority for stating that it was an essential part of the monarchy of this land. He need scarcely say that Lord Coke and Sir Matthew Hale asserted it in the strongest terms, and he would, therefore, hope that the denial of that supremacy must be an offence at common law. But if he had no doubt about it, it might be fairly asked why he proposed to ask these questions of the Judges? He should be quite content if the noble and learned Lords in that House would answer those questions decisively, and say that to deny the Queen's supremacy was an offence punishable by the law of the land. If they would unanimously say that, he would not desire to occupy the time of the learned Judges by asking them these questions. But there was something very peculiar in this case. When, on a former occasion, he (the Bishop of Exeter) had addressed the House, his noble and learned Friend proposed to insert in the Bill a simple declaration of the Royal supremacy. He should have been perfectly satisfied if his noble and learned Friend had gone one step further, and had proposed that some punishment should be annexed to the denial of it. The noble and learned Lord had siad that was a thing he could not do — that it was contrary to the policy upon which the Bill proceeded to go the length of saying, that to deny the supremacy of the Queen, in all matters spiritual as well as temporal, was an offence against the law of the land. The difficulty of the Bill seemed to him (the Bishop of Exeter) to

rest upon the extolling of the Pope's supremacy. What that extolling might be he did not profess to say. The Pope's supremacy was different in kind as well as in degree from the Royal supremacy of the Crown. The Pope's supremacy was claimed over all persons—and not only in all causes, but in all things whether external or internal. The Royal supremacy claimed jurisdiction with respect to matters *in foro exteriori;* that was the only jurisdiction which the Crown of England claimed. The extolling of the Pope's supremacy went directly to oppose the supremacy of the Crown. But it went much further. The Pope claimed to affect the conscience—to have jurisdiction *in foro interiori*—a claim which was never made by the Sovereign of England. Such a claim was contrary to the articles of our religion. The Queen claimed nothing *in foro interiori ;* she left that to the conscience of the individual. But the Pope's claims in that respect were of such a formidable character, that our ancestors had felt it necessary to set aside all extolling of the Pope's jurisdiction, even including his jurisdiction *in foro interiori.* Let them remember that it was by means of the power of the Pope addressing his mandate to the consciences of his subjects abroad, that he was enabled to exercise the power of deposing sovereigns : it was by absolving them from their oaths of allegiance, by declaring foreign princes excommunicated, that the Pope assumed the power of deposing those sovereigns. It was therefore necessary for any State that wished to be free from danger of papal usurpation and papal interference to have itself protected from the setting forth publicly and by authority the right of the Pope to interfere with the consciences of its subjects; and that was done by the Act of Parliament which it was now proposed to repeal. The object of that Act was to prohibit a setting forth of the Pope's authority in such general terms as should prevent the extolling of his supremacy in any way. To prove the importance of that enactment let him quote the opinions of modern Roman Catholic authors of the highest authority and the greatest moderation. The first he would quote was not of the first moderation, but he was of the highest eminence—Dr. Milner. On this subject that author said—

" What, after all, is that deposing power, with the mention of which we are all so much stunned, and the assertion of which is supposed to be so heavy a charge against our earliest divines ? What did they say, except what all Protestants have said, that a manifest grievous persecution of the community for conscience' sake is an intolerable act of tyranny ? The whole difference is, that the Catholics of those times, instead of deciding for themselves upon so important and conscientious a business, as Protestants claimed a right to do, only judged the case lawful when an impartial and equitable arbiter, the ecclesiastical superior, decided that it is so, as Cardinal Allen argues."

Thus they saw upon what this deposing power rested—it was in the power of the Pope to dispense with oaths of allegiance. That was the statement of Dr. Milner. He would now give the statement of a man than whom a more liberal man never belonged to any communion whatever—he meant Dr. O'Connor. That learned divine said—

" There is but one difference in this respect between the genuine doctrine of Catholics and Protestants, and that is explained by an historical fact applying to the obligation of an oath. If oaths were to be immutably and eternally binding, there never could have been a revolution in England without perjury; for all magistrates and officers of the army and navy had taken the oath of allegiance to James II. But there is a time when oaths cease to be binding, and when that time comes the Protestant declares himself dispensed from their obligation. That time did come, when James's tyrannical Government rendered that Government intolerable to the English people, and then the officers of the army and navy declared themselves dispensed from the obligation of their oaths. Now, in similar circumstances a Catholic officer would pause. ' True,' he would say, ' it appears to me that I am now acquitted from all obligation of allegiance; but perhaps I judge too favourably in my own cause, and I will submit it to the judgment of the Church whether I am, under these circumstances, absolved from my allegiance, or not.' The Church then only pronounces us absolved from our oaths ;" (but the whole mischief is, that the Church has authority to pronounce them so absolved from their oaths), " when their obligation has ceased."

That was the statement of a Roman Catholic authority; and thus their Lordships would see the danger lay in the power of absolving, and that power, he contended, could not be set forth at length publicly in writing, &c., as he had before mentioned, without imminent danger to our constitutional freedom. But it might be said, that unless they accepted the jurisdiction of the Pope *in foro interiori* they could not give toleration to the Roman Catholic religion. That, he admitted, was a great difficulty. He admitted that the Roman Catholics could not exercise their religion with freedom unless they did submit to the supremacy of the Pope; but their Lordships would see there was a wide difference between internally entertaining that doctrine and extolling it, putting forth, and main-

taining it to the world. Let those who were in communion with the Pope believe, if they chose, in his supremacy, and in their consciences act up to that doctrine and its dictates; but let them not feel themselves at liberty to set them forth to the world. Such a doctrine—such an opinion was immoral, and being immoral, it was, he hoped, illegal too. While he said that, he also felt himself bound to declare that those noble Lords in communion with that Church, whom he was now addressing, would reject everything like a notion of their being released from their allegiance; and he hoped they would see that he was not applying to them or to individuals like them, any part of the observations he was then making. He contended, then, that if it were indeed agreeable to the law of England, the Act of Elizabeth being repealed, that the supremacy of the Pope might be set forth, extolled, and maintained to the world in writing, &c., it would be, under such circumstances, absolutely necessary that they should have some substitute for the law so repealed. Were they told that any practical evil had arisen from the existence of that Statute? Was the Roman Catholic interfered with in the exercise of his religion by reason of it? Nothing of the kind. It was not pretended that it produced any such effect. But they were told that it put the Roman Catholics in an invidious position, making an invidious distinction between them and the members of other religions. If they deemed that a painful position, he was sorry for it, and was ready to give way to them in any manner that would not trench upon the constitutional securities of our Protestant Church; but they would despise him if he were to give away in compliment that which he regarded as a security for the free enjoyment of the constitution of this land. The right rev. Prelate then entered into an explanation of the difference between the Pope's briefs and bulls — describing the one as those mandates which had passed under the Papal privy seal, and the latter as those which passed under the great seal of the Pope; and afterwards went on say that the sending of a bull, such as he had described, into England, savoured of high treason, and therefore he was not surprised to find that such men as Lord Burleigh and Sir Nicholas Bacon should have caused the enactment of such a law as the Statute of Queen Elizabeth, which it was now proposed to repeal. Those who introduced this Bill had given no reason for it; they had not even the courage to say that it was "expedient" to pass it—nothing was heard even of that fatal word, which of late years had been the bane of this country; and he must ask whether there was any other great constitutional act embodied in the statutes of the realm without any preamble stating the reason why it was enacted? He asked, then, should the constitution of the land be completely changed, and the supremacy of the Crown be vitally affected by this Bill, without saying why and wherefore, and without condescending to say that it was fit to do so? It was only two years ago, that the noble and learned Lord (the Lord Chancellor) himself struck out of the Bill then before the House the very clauses he now introduced. The Bill introduced to Parliament by the noble and learned Lord opposite, and passed into a law two years ago, originally proposed that those Acts of Parliament to which he had referred, should be repealed. Well, what was done? He remembered hearing the noble Lord opposite (Lord Beaumont) make his propositions in his usually fair way, declaring distinctly what he wished and what he meant; but he (the Bishop of Exeter) had the satisfaction to find afterwards that certain portions of the Bill did not pass. And why did they not pass? Because his noble and learned Friend on the Woolsack (the Lord Chancellor) struck those exceptionable parts out. He (the Bishop of Exeter) now held in his hand the Bill that actually passed, "as proposed to be amended by the Lord Chancellor on report;" and the amendments consisted in striking out those very parts which his noble and learned Friend now, with his own hand inserted, without giving a reason why. It was for these reasons that he (the Bishop of Exeter) thought it necessary to appeal from the noble and learned Lord, the advocate of the Government Bill in this House, to the same noble Lord sitting as Lord High Chancellor, together with the other noble and learned Lords, as Judges, whom he saw here, and who, he was persuaded, would give their minds to the deliberate and judicial consideration of this great question. The right rev. Prelate concluded by moving that the following questions be proposed to the Judges:—

"1. Whether, independently of so much of the Act passed in the first year of the reign of Queen Elizabeth, intituled 'An Act restoring to the Crown the ancient Jurisdiction over the Estate

Ecclesiastical and Spiritual, and abolishing all Foreign Powers repugnant to the same,' as makes it punishable to affirm, hold, stand with, set forth, maintain, or defend, as therein is mentioned, the authority, pre-eminence, power, or jurisdiction, spiritual or ecclesiastical, of any foreign prince, prelate, person, state, or potentate, theretofore claimed, used, or usurped within this realm, or to put in use or execute anything for the extolling, advancement, setting forth, maintenance, or defence of any such pretended or usurped jurisdiction, power, pre-eminence, and authority, or any part thereof; and of an Act passed in the fifth year of the said Queen, intituled 'An Act for the Assurance of the Queen's Royal Power over all Estates and Subjects within her dominions,' it is an offence against the law of England, and punishable by the same, by writing, printing, teaching, express words, deed, or act, advisedly and maliciously to deny the Queen's supremacy, or to affirm, maintain, and defend any such pretended or usurped power, jurisdiction, or authority of the Pope, or any other foreign prince, prelate, person, state, or potentate, within this realm ?

"2. Whether, independently of so much of the said Act of the first year of the reign of Queen Elizabeth as is above recited, and also of the said Act passed in the fifth year of the said Queen's reign, and also of an Act passed in the 13th year of the said Queen's reign, intituled 'An Act against the bringing in and putting in execution of Bulls, Writings, or Instruments, and other superstitious Things, from the see of Rome,' it is an offence against the law of England, and punishable as such, to bring in or put in execution any such bulls, writings, or instruments from the see of Rome."

The LORD CHANCELLOR said, that perhaps he might, in the first instance, be permitted to allude to the observation made by his right rev. Friend, with respect to some supposed inconsistency on his part in reference to the present measure; and he was quite sure that when he called to their recollection what passed on the occasion to which his right rev. Friend referred, thir Lordships would at once acquit him of the charge preferred against him by the right rev. Prelate. The noble Lord to whom allusion had been made, introduced to the House the Bill of which the right rev. Prelate had spoken. That Bill had not been previously communicated to him (the Lord Chancellor). He had no opportunity, at least no adequate opportunity, of considering its effect; but upon perusing the Bill, and referring to the particular Acts of Parliament to which it alluded, he saw at once that it was perfectly clear that every man of liberal mind and feelings must assent to a great portion of that Bill, but that with respect to other parts of the Bill doubts might be entertained. Inquiry was necessary, and therefore the course which he pursued was this: to those parts of the Bill to which he felt no reasonable objections could be entertained, he at once assented; but he informed that noble and learned Lord, that if he would intrust the Bill to him he would refer the other parts of the measure to the Commission sitting for the purpose of inquiring into the Criminal Law—that he should request them to consider the subject, and to make a report upon it—and he would afterwards proceed acccording to the views he should entertain with respect to that report. It was for this reason, and for this reason alone, that those parts of the Bill had been struck out. Not that he formed or expressed any opinion on the subject; but he said, at once, that it was of so much importance, and involved considerations of so great magnitude, that the noble and learned Lord ought not then to call upon him (the Lord Chancellor) to pronounce any decided opinion upon it. He pursued the course which he had suggested, and recommended those Acts to the consideration of the Criminal Law Commission. That Commission made a report upon the subject, and it was in pursuance of their report that he brought in the Bill which was now under their Lordships' consideration. Having made his statement, he was quite sure the House would acquit him of any inconsistency with respect to the course he was pursuing. He would now proceed to observe, that he did feel most anxious that this measure, if it passed, should pass with the general concurrence of their Lordships. He felt most anxious, if it passed, that it should pass with the particular concurrence of the right reverend bench, and, if possible, with the concurrence of his right rev. Friend himself. He (the Lord Chancellor) had been most anxious upon the subject; and he had therefore excluded from the Bill all that in his judgment might give rise to any difference of opinion, He laid it upon their Table some time since, and had suffered a long period to elapse before he brought it before them for a second reading; he paused for the purpose of receiving suggestions from noble Lords, from right rev. Prelates, and from other quarters, and he had received suggestions and assistance from a right rev. Prelate, a friend of his, for whom he entertained the greatest possible respect, on account of his learning, his acuteness, and the excellence of his character. He had adopted very many of these suggestions, and the amendments which he should in consequence propose, he should introduce when their Lordships were disposed to go into Committee upon

the Bill. There was one satisfaction which he received from the speech of his right rev. Friend (the Bishop of Exeter). It was this; that he had directed his attention and objection only to two points in the Bill. All the rest of the Bill he might therefore consider as having met with his right rev. Friend's assent, if not with his approbation. [The Bishop of EXETER was understood to say, "Not entirely."] There were only two points in the Bill—namely, those which related to the Acts of the 1st of Elizabeth and the 13th of Elizabeth, to which the right rev. Prelate had referred.

The BISHOP of EXETER intimated, that there might be other parts to which he should object, if the Bill went into Committee.

The LORD CHANCELLOR had referred to what passed on a former occasion, and then, as well as now, he had thought that he might assume that the right rev. Prelate confined his objection to the Acts alluded to. He knew that on a former occasion the right rev. Prelate stated that he (the Lord Chancellor) had, in opening this case to their Lordships, dwelt most upon statutes, subjects, and points in respect to which no difference of opinion could be entertained—that upon the points to which there was no opposition he had most enlarged, but that he had purposely passed lightly over those two Acts which his right rev. Friend considered so material—that he (the Lord Chancellor) did not pursue a magnanimous course in that respect, and hoped that those two Acts would have been forgotten in the mass of Acts to which the Bill referred. That was the observation made by his right rev. Friend, and therefore he had assumed that his right rev. Friend had no very decided objection to any other parts of the Bill. Now, with respect to the 1st of Elizabeth—the Act of Supremacy, as it was generally called—that Act of Parliament expressed in the fullest and most comprehensive terms the authority of the Sovereign of this country in all spiritual and ecclesiastical matters. Nothing could be more comprehensive, nothing could be more distinct and decisive, than the terms in which that was expressed: no person reading it could entertain any doubt upon the subject. The Act afterwards proceeded to impose an oath, calling upon persons filling certain offices to declare their adherence to the doctrine so stated in the Act of Parliament. In a subsequent part of the Act—and here he would state that he was desirous only that the ground upon which he proceeded should be distinctly understood—certain severe penalties were imposed, not upon persons who should deny the supremacy of the Sovereign, but upon persons who should maintain and defend the spiritual ecclesiastical authority of any foreign prince, prelate, or potentate. Now, it was perfectly clear, that the abrogation of these penalties would not affect the rest of that Act. What was the state of the Roman Catholics in this country—not in England alone, but in these realms? The Act of Parliament subjected to the penalties of high treason, to the penalties of misprision of treason, and the forfeiture of all personal property, the individual who maintained or defended the spiritual or ecclesiastical authority of any foreign prince or prelate? Was it not a matter of public notoriety? Did any person doubt for one moment that every Roman Catholic in this Empire, and all over the world, looked upon the Pope as his spiritual and ecclesiastical head? Was it not a fundamental principle of their religion? Could we entertain any doubt upon the subject? If any doubt were entertained upon the subject, he would refer to the speeches of the right rev. Prelates who addressed their Lordships' House when this Act of Elizabeth was in progress through Parliament. It was by them stated in precise and distinct terms. There were two of their speeches now remaining, the speech of the Archbishop of York and the speech of the Bishop of Chester, in which they stated this in most distinct and positive terms. But, more than this, if they looked to the canons of the Romish Church, they found this doctrine stated in the strongest terms. No doubt could be entertained with respect to it. Every Roman Catholic clergyman took an oath that he would conform to those canons, and admitted their validity to the fullest extent. They might take it, therefore, as part of the fundamental and essential doctrines of the Roman Catholic Church, that they regard the Pope as their superior, as the person who had ecclesiastical and spiritual jurisdiction over them. But it did not rest there. Their Lordships had themselves legislatively acknowledged it. He now referred to the oath which, by the Act of Elizabeth, was imposed upon persons holding certain offices—they were to swear that "no foreign prince, prelate, or potentate, hath, or ought to have, any ecclesiastical or spiritual dominion in these realms."

These were the terms of the oath—that oath was in force until of late years. Their Lordships themselves had altered that oath—they had altered it out of deference to persons professing the Roman Catholic religion. They found it impossible to impose such an oath upon their fellow countrymen; and accordingly they struck out the words "ecclesiastical and spiritual," and inserted in the place of them "civil and temporal." After this, did it not appear clear the law and the Legislature of this country had by this change sanctioned the doctrine, that persons professing the Roman Catholic religion looked up to the Pope as their ecclesiastical and spiritual superior? Did not their Lordships themselves allow it? By this alteration in the oath had they not permitted and sanctioned it? When they had allowed the free exercise of the Roman Catholic religion in this country, and when they knew that this was a fundamental principle of that religion, how could they say, consistently with themselves, that when the professors of that religion faithfully discharged their duty by maintaining and defending this foreign ecclesiastical and spiritual authority, they would subject these persons to the penalties of high treason and the penalties of premunire, and that they would take from them all their personal estate and all their personal possessions? Now, this was an inconsistency which he was most anxious to remove by the introduction of those clauses in the Bill. It was impossible they could retain those penalties. They had gone too far. They should not have taken the steps which they had already taken, if they were not prepared to follow them up with this final step, in order to be consistent with themselves. Then it was said, "But this will lead to a great deal of mischief, because we do not know exactly what is the meaning of the term 'spiritual.'" And then it was said that it might involve the absolving of subjects from their oaths of allegiance; to which he gave this short and distinct answer—that if any person in this country circulated or inculcated immoral principles, he was amenable to the law, and liable to be punished by the common law of the country. The common law was sufficient to reach cases of that description; and when such cases came into the courts of justice, they would be properly commented upon by those who presided over those tribunals. It had been said elsewhere, that if they repealed this law and the penalties, they would abrogate and abolish the supremacy of the Sovereign. [The Bishop of EXETER: No, no!] He was glad to hear that this objection was not to be repeated to-night, although, on a former night, they heard many of that description. But he might say that the supremacy of the Sovereign of these realms rested upon too solid a foundation to be so shaken. It did not depend upon the Act of Parliament he had referred to—it was a part of the common law of the land. His right rev. Friend had admitted it; and he (the Lord Chancellor) was prepared to show, if the proposition were repeated in this House, that it had been recognised by repeated acts of the Legislature; that it had been laid down by the Judges in all ages and in all times. In the case of "Cowdry,"—so we understood the noble and learned Lord—Lord Cooke summed up the whole subject in a masterly manner, and showed that by ancient and continued decisions, by Acts of Parliament, by long practice and usage, it was acknowledged and established beyond the possibility of a doubt that the supremacy of the Crown in ecclesiastical matters was part of the common law of the land. There could be no danger, therefore, in repealing those penalties, severe as they were. There could be no danger to the supremacy itself. He would call their Lordships' attention to what the Acts were to which he referred, and how absolutely necessary it was, if they were not repealed, that they should at all events be amended; and that their Lordships ought to go into Committee upon the Bill, in order that they should consider them. The Irish Act, to which this Bill referred, was still in force in all its intensity. By that Act the party who maintained the spiritual supremacy of the Pope, forfeited, for his first offence, all his personal property; and for his second offence he was liable to be punished for a premunire; and their Lordships were well aware what the infliction of that punishment was: it deprived the party of all his property, made him a prisoner for life, and deprived him of all the benefit of law; so much so that, as he had stated on a former occasion, it was doubtful whether a person who was subjected to a premunire might not be killed by any man with impunity. For the third offence, the party was guilty of high treason. So that they tolerated the free exercise of the Roman Catholic religion; they knew that it was an essential and a fundamental part of that religion that its professors should

maintain and defend the spiritual authority of the Pope; that it was incumbent upon them to do so; that it was a fundamental principle of that religion; and yet, if they did what their Lordships themselves sanctioned, they said that the parties should be punished in this severe manner. Was it possible to maintain such a state of the law? He had said that these penalties were in force in Ireland under the Irish Act, which it was one of the objects of the present Bill to repeal. With respect to England, they had already repealed the two severest penalties, those of premunire and high treason; but they had declared that every person offending in this particular should, upon conviction, forfeit his whole personal estate, all his leasehold property —all his personal estate of whatever description. His right rev. Friend said, "What a monstrous thing it is to introduce a Bill without a preamble! You have not pointed out the necessity for repealing these Acts." Why, the thing spoke for itself; and he exhorted their Lordships not to repeal one of these Acts of Parliament, unless they were satisfied, on reading them, that they ought no longer to remain upon the Statute-book. Was it necessary for him to point out the necessity of repealing an inconsistent, an unjust, and a cruel law? Was it necessary to have a preamble for that purpose? He exhorted them to strike out of this Bill every Act of Parliament with respect to which they entertained a doubt. Every one that failed to carry conviction to their minds, he begged of them to strike out. The right rev. Prelate had asked what he intended to do? And he had told him that he would adopt this course, for fear anybody should imagine that they were impairing or striking a blow at the supremacy of the Crown by repealing these Acts. He proposed to introduce a proviso that the repeal of a clause in the Act of Elizabeth should not affect any other provision of the Act, nor call in question nor affect the undoubted supremacy of the Crown, as founded upon the ancient common law of the country. He had thought that that would have satisfied all doubts and hesitation on the part of his right rev. Friend; but his right rev. Friend said, "No, that won't do; you must inflict a penalty and a punishment." Then he (the Lord Chancellor) said that that would be perfectly inconsistent with the view he took of the subject. If it was legal and proper to do these things to which he had alluded—if it was a fundamental part of the Roman Catholic religion to entertain those opinions, and parties entertaining those opinions were bound to maintain and defend them, how could they be justly subjected to punishment for that? His right rev. Friend wished to know if, after repealing these laws, there were any other punishment left for the offence, and if there were no other punishment, then he (the Lord Chancellor) presumed that the right rev. Prelate would strike out the clause altogether. It was upon that point that he was at issue with him. He (the Lord Chancellor) said that it was no crime in the Roman Catholic to maintain and defend the supremacy of the Pope; but that if he did it for mischievous purposes and circulating immoral doctrines and opinions, he was liable to punishment by the common law; but if he merely maintained and defended, as he was bound to do, the spiritual authority of his superior, then he said that he was guilty of no offence against the laws of his country. The right rev. Prelate had asked his opinion and that of the learned Judges as to the right of the Roman Catholics to maintain and defend the supremacy of the Pope in spiritual matters. He said that it was no offence at common law for them to do so; but, on the other hand, he said that if any person improperly, wantonly, or seditiously, called in question the supremacy of the Crown of England—and that, it was to be observed, included the temporal as well as the spiritual power of the Crown—if any person from any improper motive or purpose, or in any improper manner, questioned that supremacy, then that person would be liable to a prosecution at common law; and there could be no doubt if the learned Judges were consulted they would so determine. The next question to which it was necessary that he should invite their Lordships' attention, had reference to the 13th of Queen Elizabeth. By that Act the importation of bulls, or any writings, for any purpose, from the court of Rome, made the persons bringing them into this country liable to the penalties of high treason. That Act still formed part of the statute law of the realm. Whether that Act ought to be repealed, amended, varied, or altered, was a fitting subject for consideration in Committee, rather than for discussion in the present stage of the Bill. Whenever that question might be disposed of, there was one circumstance which he hoped that noble Lords would bear in mind, namely, the notoriety of the fact that bulls, re-

scripts, and other writings, were constantly passing into this country from Rome. The disciples of that church received those documents in spite of its being considered by the law of England, that their doing so was high treason; and that sort of intercourse had gone on and still went on regularly between the Roman Catholic inhabitants of this country and the see of Rome. He appealed to noble Lords who knew this matter much better than he did to confirm this statement. The fact had, indeed, been so stated to him by a noble Lord who was conversant with this subject. It had been so proved at their Lordships' bar on a recent occasion. In the Sussex Peerage case a dignitary of the Romish church had appeared at their Lordships' bar, and from his evidence it was clear that communications were constantly carried on with the court of Rome. And they winked and connived at it! Was that a proper state of the law? They knew it was taking place every day; they winked and connived at it, and they did not dare to prosecute it. What a state of law was that! How degrading that the law should be in that state! They were bound to tolerate it—they must suffer it; in consistency even with their own legislation they ought to sanction it. They ought not to say that the law should be a dead letter. But then it was said, that if they repealed that Act of Parliament they would open the door to the introduction of bulls for political purposes, directed against the Crown, or directed against the Government, or against the temporal interests of private individuals; and then the right rev. Prelate had stated former occasions upon which a temporal and supreme authority had been assumed by the Pope; he had referred to the case, when, in accordance with the demands of Napoleon, the Pope had released from their allegiance the subjects of Louis XVIII.; when a number of Catholic bishops of France were in one day deprived of their sees: he had also made allusion to Pope Gregory VII. attempting to depose Henry IV. of France, and absolving his subjects from their allegiance. He had also alluded to Pius V., whose conduct had led to the Act alluded to by the right rev. Prelate. Now in all the cases referred to, he felt as much and equal indignation with the right rev. Prelate at this insolent assumption of power. He was quite sure that their Lordships must concur in the sentiment of the right rev. Prelate, that nothing could be more injurious to the public interests and welfare than that a power should be permitted to be assumed by any foreign prelate or priest to interfere in the affairs of another country. This, he said, did indeed excite his indignation. And when he said this, he remembered that the Roman Catholic church never retraced its steps—never abandoned that course which it had once entered upon—never consented to undo that which it had once done. They all knew that Gregory VII. and Pius V. had been canonized, and that these acts of theirs were made the subject of eulogy. They all knew that a part of the ceremony of their annual commemoration was to peruse the memorials of these individuals, to extol their character, and to celebrate the very acts which he referred to. They all knew that the canons of that church never varied—that that church never receded from any position it had laid down. They all knew that the power of deposing monarchs and absolving subjects from allegiance formed a portion of the body of the canons of the Romish church, and they all knew that every member of the Roman Catholic church, and every priest, whether regular or secular, swore to the truth, undoubtingly, of those laws; and all these facts, he said, were calculated to excite his indignation. But, then, did they apply to the present case? It was sufficient for him to say, that the common law was sufficient to protect them from any such encroachments. He laid down this position—that if any person introduced a bull directed against the Crown, directed against the Government, or directed against the temporal interests of any individual, the common law was strong enough to meet and punish all such persons. The common law was strong enough for all these purposes. For instance, as to the cases referred to by the right reverend Prelate, upon bulls of excommunication. According to the Act of Edward I., the bringing in of such bulls to be put into effect against any individual, would subject the parties to the penalties of high treason; and Lord Coke, in commenting upon this case—namely, upon the excommunication of Pius V., observed, that if a person were guilty of high treason for introducing such a bull against a private individual, *à fortiori* they must be considered guilty of the crime when the bull was directed against the Sovereign. By the Statute of Richard II., passed long before the Act so often referred to, the introduction and publication of any bull di-

rected against the Sovereign or Government for any political purpose, subjected the parties to the penalties of a premunire. Was it then necessary to keep this Act of Parliament on the Statute-book? He knew it would be said, what was the use of repealing this law, when other laws relating to the same subject were still to remain in full operation? His answer to this was, that the words in the Act of Elizabeth were so comprehensive as to embrace the most innocent communications with the Court of Rome, that they had an operative effect upon intercourse between Roman Catholics and the head of the Church of Rome, to which there could exist no fair or rational objection? It was then, he thought, necessary that that Act should be repealed or modified: and the question which he had to consider, and on which he had entertained some doubt, was, whether they ought to qualify it in some way, or leave it to the common law to come into operation as the case of necessity should arise? Now he felt this—that if they attempted to draw nice distinctions, and to make nice definitions, there was great danger of their falling into error; and they might do what they never intended upon a subject that was too obscure for verbal legislation. Therefore it was that he had come to the conclusion, that it would be much better to repeal the Act entirely, and to rely upon the vigour of the common law to prevent abuses. This was the opinion that he entertained, with deference to their Lordships, and this he would submit to them when they came to consider this Bill in Committee. At the outset he had expressed his desire that the measure should pass with the general concurrence of their Lordships, and with the concurrence even of his right rev. Friend. Nothing could be of more importance than that a measure of this description should not appear to be hurried; and therefore it was, that if any of their Lordships were disposed that the Motion of his right rev. Friend should be agreed to, that the opinion of the Judges should be taken on the subject, though he did not think it at all necessary; still, for the purpose of giving satisfaction to every one, and for the purpose of removing objections, he would be content that such opinion should be taken. In that case he would not oppose the Motion of the right rev. Prelate; but he again said, he did not think it necessary, but he now left it to the wisdom of their Lordships, and upon their judgment and discrimination he relied that the measure would be allowed to pass into a law.

Lord BROUGHAM wished to address a very few words to their Lordships, as he had been called upon by the right rev. Prelate to give an answer upon the points which had been stated by him. His opinion upon those points coincided with the answer that had been given by his noble and learned Friend. They had an undoubted right, according to the ancient practice of that House, to put questions to the learned Judges upon matters relating to legislative measures; but, then, those questions ought not to be put except in cases of doubt and difficulty. The learned Judges could not give answers in cases of doubt and difficulty without requiring a considerable time for their determination. For instance, they had put a question to the learned Judges ten months ago, and they could not receive an answer to that question until next Tuesday. If the questions were not doubtful, they ought not to be put to the learned Judges; and in this case they ought not to do so, when by putting the questions they must postpone this measure to next Session. He entirely agreed with his noble and learned Friend in the answers that he had given to the questions of the right rev. Prelate. He said that to extol, defend, or maintain the power of a foreign priest in this country, was an offence. He entirely agreed with his noble and learned Friend in the indignation he had expressed that any foreign priest should assume a temporal or even a spiritual power, not only within this realm, but in any other kingdom, except that in which that priest resided as a temporal prince; and this was an opinion on which the French monarchy had acted: they would allow the foreign priest to have no power within their realm, even though that priest called the French monarch "the eldest son of the Church." The French Sovereign happened to be a very powerful monarch, and therefore he was called "the eldest son;" but it might be doubted that if not powerful he would not be so called; but like the eldest sons of many powerful monarchies, he was not disposed to yield much to his respected parent, and had always maintained adverse rights to those claimed by the foreign priest, even in spiritual matters; for France would receive no communication from the Pope, unless authority was given to it by a rescript, or, as they termed it, by an *exequatur*. Now, if any one by language maintained the su-

premacy of the Pope for an unlawful purpose, or in seditious language, so as to be an insult and an affront to the supremacy of his lawful Sovereign—for he could imagine it could be so entertained as to amount to a serious offence, so even as to amount to a seditious libel, or even to amount to a treasonable offence—he had to give the same answer which had been given by his noble and learned Friend, there could be no doubt that the common law would reach them: but there was no punishment by ancient statute or by common law for importing bulls, or rescripts, or writings, from Rome, of a spiritual or temporal nature, provided they did not contain anything seditious, blasphemous, or immoral. They were regarded, in fact, as in the same light with any other writing not coming from Rome. Now, the bull that had given rise to the 13th Elizabeth was one of the most monssrous that had ever passed from the Court of Rome. There could be no doubt that the Act was passed by Parliament when its members saw a bull of excommunication against Queen Elizabeth, absolving her subjects from their allegiance, impudently affixed to the gate of the Bishop of London's palace, and also affixed to the gate of the palace of the King of France, who received it with the same scorn and abhorrence with which the present monarch would receive any such instrument if directed against the Sovereign of this realm. Such an act was not mere sedition—it was high treason. Whoever had affixed that document, calling upon the subjects of the Queen to renounce their allegiance, had committed an overt act of high treason. High treason consisted in the mind; and such might be regarded as an overt act of treason. Let no man, therefore, suppose that the importing bulls from Rome could be permitted, or that they would not be punished like any other writings if they were blasphemous, seditious, or immoral. Upon the points with respect to which the right rev. Prelate had asked, he said he had no doubt whatever. He did deprecate sending these questions to the Judges: it would be would be giving them needless trouble, and putting a stop to a most salutary measure. If questions were to be put to the Judges, he would have them asked, if a person ceasing to be a member of the Church of England, and becoming a member of the Church of Rome, or of any Dissenting sect, could be still subjected to the jurisdiction of the Ecclesiastical Courts? This was a question which he believed had been decided by his noble and learned Friend (Lord Denman) behind him.

The LORD CHANCELLOR explained. He was not to be understood as having recommended that these questions should be put to the Judges.

Lord DENMAN had heard with very great satisfaction that the right rev. Prelate was willing to accept the opinions of the noble Lords in that House who were connected with the profession of the law; as by the right rev. Prelate's doing so, it would not be necessary to withdraw the Judges from the heavy avocations that were now pressing upon them. He would take the liberty of saying on their part that if a doubt could be entertained on these points, they would sacrifice their own convenience, or even the public convenience, to resolve that doubt. He had heard with considerable surprise the right rev. Prelate express something like a doubt as to whether the Crown of England was an Imperial Crown, or whether, by the law of England in former times, there could be any interference on the part of the Pope which could affect that imperial power. As to the days of King John and the Pope, when the Pope spake of John as his vassal, it was one of which they might feel the degradation, whilst they were aware that it was contrary to the ancient laws and Constitution of England. The Statute of Elizabeth revived the Statute of Henry VIII., which declared the supremacy of the Crown as it existed from all times. So much was this the case, that he had no doubt that the Judges in the time when the Pope had the greatest authority in this kingdom, these Catholic Judges would on this very point have given the same answer which the Protestant Judges now would be prepared to give. The reign of King John was no more to be referred to than that of Charles the Second, or any other monarch. In the reign which followed that of John, persons were punished over and over again for submitting to the interference of the Pope, and giving effect to it. He would refer the right rev. Prelate to Cowdry's case, with which no doubt he was familiar; but in fact, upon going through the list of our kings at that period, numerous instances would be found under every reign to prove that the law was—that the Crown was the head of the Church in this country, and that those who supported the authority of the Pope were subject to the severest penalties—banishment for life, loss

of life, and all sorts of severe punishments. Therefore he had not the least hesitation in answering the questions of the right rev. Prelate as both his noble and learned Friends had answered them; for he had no doubt on the subject, that no document which should proceed from Rome, either in the shape of a bull, or in any other character, could be circulated in this country with impunity, if it inculcated anything derogatory to the authority of the Crown, or tended to promote sedition or to carry into effect any of those objects with which the courts of law could deal when they were brought before them. The authority rested upon the common law of the land, which was well understood, and which no doubt would be put in force if the necessity arose.

Lord CAMPBELL begged permission to add a few words to what had been said by his noble and learned Friends. Some persons had supposed that by the Queen's supremacy, and by the doctrine that the Queen was the head of the Church, was meant that Her Majesty might do anything she pleased in ecclesiastical matters, alter the liturgy or the Articles of the Church. But this notion was most erroneous. The Queen was, as he hoped she always would be, over all persons, and in all causes, ecclesiastical and civil, supreme: that was what was meant by the supremacy of the Sovereign of this realm, and that supremacy, by the common law of England, the Sovereign had always exercised, for the Statute of the 1st Elizabeth was only declaratory of the law of England from time immemorial. With regard to the question whether, after these penalties should be abolished, a Roman Catholic could assert the spiritual supremacy of the Pope, he should say that, undoubtedly, that would and ought to be the case, that supremacy being only the spiritual supremacy, and not implying any temporal control or power in this country, If any bull should be issued, calling upon the subjects of this country to act in any manner contrary to law, the persons importing such a document, and the persons obeying such injunctions, would be liable to punishment. He rejoiced that the Bill had been brought in, and rejoiced that it was likely to pass with so much unanimity; but, at the same time, he must say, that unless some ulterior measures were adopted, the Pope would have more authority in England than he ought to have, and than he possessed in Italy, in Spain, in France, or in Austria. He should strongly recommend the Government of this country to have a concordat with His Holiness the Pope. Until such a measure was resorted to, the Roman Catholics in this country would not be under due control, nor would there be due discrimination between the authority which might be legitimately exercised by the Pope, and that species of authority which ought not to be exercised by any Sovereign in a foreign country. There was no obstacle to our communicating with the Pope as a sovereign prince. Diplomatic relations with that pontiff were not interdicted by any of our statutes, and he thought that such negociations with the Pope as a sovereign prince, and the establishment of a concordat, embracing England and Ireland, would be a highly desirable measure; and he hoped that after this Bill should have been passed, the attention of Her Majesty's Government would be turned to a subject which he considered to be of the greatest importance to the welfare of the country.

Lord BEAUMONT considered what had been stated by the right rev. Prelate and the noble and learned Lord, as containing serious errors in regard to the state of opinion in Europe, and as casting a stain upon the Roman Catholic faith which was not deserved. On a former occasion, he had explained to the House that there was a very great difference between the dogmas of faith and matters of discipline. He objected to conclusions being drawn from the past history of the usurpations of the Papal power and the conduct of weak monarchs, of what were the doctrines or the adopted principles of Rome. Matters of faith were held to be immutable, and were founded on the great truths of Christianity; but the manner and the means of propagating that faith changed with the change of times, or the different dispositions of the Sovereign Pontiffs. He had endeavoured on a former night to illustrate this difference, by showing the horror in which the past policy of Rome was viewed by the most enlightened Catholics of the present day; but on this occasion he would use not his own words, but he would appeal to documents which both the right rev. Prelate and his noble and learned Friend had consulted; from which alone, he maintained, the exact results of the opinions and practices of Rome could be obtained on this question. He referred the right rev. Prelate for a refutation of his error to the answers given by the faculties of divinity in the great colleges of Europe, to questions put to them in the

time of Mr. Pitt. He referred to the answers from Louvain, one of the most celebrated of those colleges. The first question was, whether the Pope or cardinals, or any body of individuals in the Church of Rome, had any civil authority, or jurisdiction, or pre-eminence whatever, within the realm of England? The second, could the Pope, or cardinals, or any body of individuals in the Church of Rome, depose the Sovereign of England, or absolve subjects of His Majesty from their oath of allegiance? The third, was there any tenet in the Catholic faith by which Catholics were justified in not keeping faith with heretics, or other persons differing from them in religious opinion in any transaction, either of a public or a private nature? The faculty of divinity at Louvain assembled, and it was unanimously agreed to answer the first and second queries in the negative. To the third query the answer was, that the sovereign power of the State was in civil matters subordinate to God alone, and was nowise subject to or dependent upon any other power, even though it be a spiritual power. He called the attention of his noble and learned Friend to this answer, inasmuch as it met directly his statement. It also stated that no power could deprive the Throne of these realms of its temporal rights, government, jurisdiction, or pre-eminence; and that no power, not even the Catholic Church assembled in a general council, could free the subject from his oath of allegiance, or deprive the sovereign of his rights, or restrain or weaken the bond of union between the sovereign and his people. "These things," they added, "have been done; for the justice of them let the doers answer." The answer continued in the same strain, saying, that there was no doubt whatever that the authority and power of the Church of Rome of interfering with the government of any other country did not in any way exist. And he would here beg to remind his noble and learned Friend, that it was by no concordat that this power was obtained. The Government of Austria allowed no communication whatever to take place between Rome and the clergy of the kingdom of Austria, save through the bishops; and these latter could not make a charge without submitting it to the approval of the Government. They could not publish a rescript without the consent of the State. A concordat had been agreed to with regard to Lombardy, but never as far as Austria Proper was concerned. Like any other temporal power, the Court of Rome occasionally tried to usurp temporal dominion; but when the right rev. Prelate said that no alteration, no abandonment of a power once claimed by Rome could take place, he should beg to tell the right rev. Prelate that the whole discipline of Rome was matter of policy for the time being, and that it might be changed for the moment at any time. It was true that they never recalled a bull, as they repealed Acts of Parliament here; but they issued others in opposition to it, so much so as to contradict every word of the former bull, but at the same time without announcing its repeal. The error into which his noble and learned Friend had fallen was, in confounding dogmas and matters of faith, which were purely questions of religious belief, with the discipline of the Church of Rome, which was mere matter of policy; which a person might be a Catholic without conforming to, and which he was even allowed to contravene in some cases, as they would find in the history of Europe to have been the case again and again, without the parties being supposed to have abandoned the Catholic faith in so doing. In justice to his noble and learned Friend, he felt bound to state, that when he (Lord Beaumont) had introduced the original Bill to which the right rev. Prelate had alluded, his noble and learned Friend suggested that he should abandon the Bill, promising to bring forward in the next Session a complete measure, which would repeal all the objectionable statutes. He declined acceding to his noble and learned Friend's suggestion, but urged him to adopt, at least, the parts of the Bill on which, he believed, there would no discussion arise. His (Lord Beaumont's) Bill was finally carried, although in a mutilated form; but by persisting in forcing the subject on the notice of the House, he had obtained a pledge from the Government that the recommendation of the Criminal Law Commissioners should be finally adopted. His noble and learned Friend said that the Bill in that shape was very imperfect, and that a great deal more of the enactments ought to have been repealed; and he then said, he would bring in the Bill which was now before the House as soon as he could obtain sufficient information to prepare it. He would with these remarks conclude, after again begging the right rev. Prelate to recollect, when next he referred to matters like the present, not to

confound the dogmas of faith with what were mere events of history; and that he by no means palliated the charge by exempting from it those members of the Roman Catholic persuasion whom chanced to be in that House, because he (Lord Beaumont) could declare positively that what the right rev. Prelate had stated to be dogmas, were by no means the doctrines of the Roman Catholic church.

The BISHOP of EXETER, in reply, said the noble Baron had thought fit to call their Lordships' attention to the answers given by certain Universities, denying that the doctrines he had referred to were the doctrines of the Church of Rome. When he (the Bishop of Exeter) last addressed their Lordships, he had brought a case subsequent to the date of these declarations, in which the Pope had actually exercised the deposing power; and he was sorry to say this was not the latest instance, for the Pope had, within the last five years, addressed an allocution to the Irish, complaining of the conduct of the Spanish Government towards the Catholic clergy of that country, in confiscating their property, and declaring of his own authority, *mero motu*—it was the present Pope—that all the acts of that Government were absolutely null. Then, was he to be told that this was not a point which they were to regard with some suspicion? A noble and learned Lord who had left the House (Lord Campbell) had told their Lordships that if this Bill passed the Pope would become more powerful here than in any State in Europe, and that it was necessary that something ulterior should be done. This was a strange state of things. This was a reason why the Bill should not pass till those other measures were introduced. The noble and learned Lord said, "Let us pass the Bill; and when we have passed it, it will be absolutely necessary to do what has not yet been done—enter into a concordat with the Pope." A more dangerous and a more unconstitutional policy had never been proposed. It was very true that, if this Bill did pass, this country would become more subject to the Pope than any other country in Europe. Was not this a very strong reason why they were bound to keep the security they at present had on the Statute-book. He had no hesitation in saying that he did not believe it possible to devise any law that should make the introduction of bulls, generally, free from penal consequences, without an effect injurious to the safety and well-being of the community. The only way, he verily believed, was to forbid them absolutely. Sir Nicholas Bacon forbad them absolutely; and all the great statesmen of Queen Elizabeth's day held the same opinion, and had put that opinion upon record. On this account he should feel himself called upon, when they went into Committee, to oppose that part of the Bill. He acknowledged thankfully the kindness of the noble and learned Lords in giving to him, or rather to the House, their judicial opinion. He was now spared the necessity of applying to the Judges. He would not press that. But how did the case stand? It was declared by the noble and learned Lords that the law of England, if this Act were removed from the Statute-book, did not afford them any security against Papal bulls in general: they had security in that law against sedition and treason, but not against bulls generally. Why, then, he would say, it gave them no security at all; inasmuch as it was altogether impossible to frame any indictment, excepting that now in force—the absolute prohibition—to meet the case of seditious doctrines, not directly applied to England, covertly sought to be introduced. They could not meet those doctrines with any indictment whatever; and it was for this reason that countries of continental Europe, even those in community with the Pope, found it necessary to put restrictions upon the dissemination of doctrines so dangerous. The noble and learned Lord on the Woolsack had declared, that what they tolerated they ought to sanction. To that principle he (the Bishop of Exeter) most distinctly objected. They permitted, and so long as they could do so without imminent and manifest danger to their own Constitution, he trusted they would continue to permit, in a spirit of tolerance, the free exercise of the Roman Catholic religion. But they were not to sanction that religion; they were to look upon it with dread and jealousy in all those particulars in which they knew it to be dangerous. Let those individuals who believed in the Pope's supremacy practise their religion; but let not the extolling and setting forth of that power be sanctioned and approved of. It was not necessary to the free exercise of their religion; it was no disability to the free exercise of their religion; and therefore let the setting forth of those opinions be prevented. He would remind their Lordships that the unanimous opinion of the noble and learned Lords was, that the supremacy

of the Crown was an essential and integral part of the Constitution of this country, and that that supremacy cannot be gainsaid with impunity. He had anticipated that answer. His argument was founded on that belief; and he was astonished at hearing the noble and learned Lord the Chief Justice of the Court of Queen's Bench say that he (the Bishop of Exeter) had, in any expression, impeached the independence of the British Crown. He had stated that it was a free and independent Crown, free from all the interference of the Pope; and saying that, he had insisted that they were not to be brought into an acknowledgment of any supremacy but that of the Crown. The noble and learned Lords informed them that it was an offence at common law to extol the power of the Pope in a seditious manner, but that it was no offence at common law to extol the power of the Pope generally. If that were the case, then he thought it necessary to take some measure to meet the danger to which such a consideration exposed them. A similar observation had been made relative to Papal bulls: nothing in common law was opposed to them, *per se;* but it was for that very reason that the wise statesmen of Queen Elizabeth forbad them generally. Such had been the policy hitherto pursued; and if the noble and learned Lord pressed this measure upon the House, and by the weight of his high authority should induce their Lordships to pass it, he, as well as their Lordships—but he more especially—would be responsible to the present generation, to posterity, and to a higher tribunal than that of man, if the consequences proved to be of that disastrous nature which from his heart he (the Bishop of Exeter) believed they would be.

Motion withdrawn.

House adjourned.

HOUSE OF COMMONS,

Friday, May 11, 1846.

MINUTES.] PUBLIC BILLS.—3°. Explosive Substances.

PETITIONS PRESENTED. By several hon. Members, from various places, for the Better Observance of the Sabbath. —From Secular Clergymen and Laymen of the Parish of Thirsk, in favour of the Roman Catholic Relief Bill.— —By Mr. Eliot Yorke, from Clergy of the Archdeaconry of Ely, and by Mr. East, from Clergy, Churchwardens, and Parishioners of Weyhill, for preventing the Union of the Sees of St. Asaph and Bangor, and providing for the Immediate Appointment of a Bishop to the See of Manchester.—By Mr. Maitland, from Presbytery of Kirkcudbright, against the Abolition of Religious Tests in the Universities of Scotland.—By several hon. Members, from Guardians of several Unions, for rating Owners of Small Tenements to the Poor Rates in lieu of Occupiers.—By Mr. Walker, from Bury, for Limiting the Hours of Labour in Factories to Ten in the Day for Five Days in the Week, and Eight on the Saturday.—By Mr. Bankes, from William Rochett, of the Borough of Bridport, Cordwainer, complaining of Transfer of Votes at the Bridport Election.—By Mr. Thomas Duncombe, from Inhabitants of Kingston upon Hull, for Release of William Smith O'Brien, Esq.—By several hon. Members, from various places, complaining of Refusal to grant Sites for Churches to the Free Church (Scotland).—By Mr. Francis Scott, from Inhabitants of the District of Raymond Terrace, in the Colony of New South Wales, for the Admission of Australian Corn on the same Terms as Canadian.—By Mr. Eliot Yorke, from Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens, called Bedford Level, against the Repeal of the Corn Laws.—By Sir Edmund Hayes and Mr. Eliot Yorke, from several places, against the proposed Government Measure respecting Customs and Corn Importation. By several hon. Members, from various places, for Repeal or Alteration of the Lunatic Asylums and Pauper Lunatics Act.—By Mr. Eliot Yorke, from Inhabitants of the Parishes of Whittlesey Saint Mary and Whittlesey Saint Andrew, for Alteration of the Poor Removal Bill.—By Mr. O'Connell, from Leeds, against the Protection for Life (Ireland) Bill.—By Mr. Maitland, from Kirkcudbright, for ameliorating the Condition of Schoolmasters (Scotland).

THE BRIDPORT ELECTION.

MR. BANKES said, he had a petition to present of rather an unusual nature, and as it contained a question of privilege, he hoped he might be excused if he departed from the rule which ordinarily governed the presentation of petitions. The petition relation to a voter of Bridport, named Rockett, who complained that the decision of the Committee turned solely on the question of one vote, and one vote only—that the Committee had come to the determination to transfer this one vote from one candidate to another, whereby one Member was unseated, and the other put in his place—

MR. SPEAKER said, if the hon. Member was stating the substance of the petition he was in order, but if he was reading the petition and addressing the House on a question of privilege, he was not in order; for his purpose was to object to the decision of an Election Committee, which the House had decided should be conclusive.

MR. BANKES said, the course he adopted might possibly be irregular, but he thought the importance of the subject justified the proceeding. In deference to the rules of the House, he would only read the substance of the petition. The petitioner Rockett, stated that he had been an elector, of Bridport for the last thirty years; that during the whole of that period he had voted for Tory candidates; that he had attended every contested election; that at the last election for Bridport he tendered his vote, and voted for Mr. Cochrane; that his vote had been transferred by the Committee to Mr. Romilly—a course repugnant to his feelings, and, in his opinion, inju-

rious to his character; he prayed, therefore, to be heard in support of his complaint at the bar of the House of Commons. He wished to support the views of the petitioner; but he found a difficulty in promoting the petitioner's wishes, otherwise than by bringing the case under the notice of the House as a question of privilege, and on that ground moving that the petitioner be heard at the bar.

MR. SPEAKER said, the regular course for the hon. Member to take was to move that the petition be printed, and to give notice that he should call the attention of the House to it.

MR. BANKES adopted the suggestion from the chair, and the Motion for printing the petition was agreed to.

CAPTAIN LYONS.

MR. J. COLLETT wished to ask the Home Secretary if he could give any information relative to a case before Captain Lyons, a Hampshire magistrate, the particulars of which had appeared in a newspaper. The case in question appeared in the form of a dialogue between a police constable, of the North Hampshire district, named Hale, and a man named Silvester. The police constable was reported to have asked the man if he wanted a job; and on being replied to in the affirmative, the policeman told Silvester he had got a hare and a pheasant in his house, and that if he took them to a fisherman, named Bridger, and afterwards laid an information against the man, he would get 5*l*. by the job. The name of Sir T. C. Haywood, of Holywell House, was mentioned in the course of the dialogue. The man Silvester said, rather than do such a job as that he would go into the union workhouse.

SIR J. GRAHAM said, he could give no answer to the question. He hoped, however, that the question would not be put on the Votes, as the circumstances might turn out very different to the representations in the paper.

MR. J. COLLETT had every reason to believe that the statement was true. The statement was the foundation of his question, and he did not see how he could put it to the right hon. Baronet unless he was allowed to place it on the Votes.

SIR J. GRAHAM begged the hon. Member to consider the position in which he placed the House by the course he had taken. The statement of the hon. Member would be circulated about the country for several days before it could be answered. It was proper that he should have time to look into the case, and to ascertain if the charges had any foundation; but while he was doing this an *ex parte* statement would have been sent abroad affecting the character of a Gentleman whom he had the honour of knowing personally, who was a Member of that House, and whose honour and character had hitherto remained unstained.

CORN IMPORTATION BILL.

On the Question that the Corn Importation Bill be now read a Third Time,

The MARQUESS of GRANBY rose to move that the Bill be read a third time that day six months. The question, he considered, was one that affected all who were concerned in agriculture. Before entering into the main question, he would make a few observations on the manufactures of the country. The noble Lord (Lord G. Bentinck) had already said that the agricultural interest did not desire to see manufactures decline in this country. He wished to see the stream of manufacturing prosperity conducted into channels safe and useful. He did not wish to see it decline—he wished to see it flow like the noble river outside these walls—in one full and constant stream, never drying up or running into unprofitable channels. The protectionists did not wish to see manufactures flourish at the expense of agriculture. They thought that manufactures properly regulated would tend to the prosperity and benefit of the country. The agriculturists wished to see the calm waters of manufacturing prosperity reflect the image of their own prosperity. The agriculturists only desired to live and let live. But now to the question of the repeal of the Corn Laws. The object of the Corn Laws had been much misrepresented. The Anti-Corn-Law advocates said the Corn Law supporters wished to starve the people. He denied it. He asserted the object of the Corn Law supporters was to supply corn to the people at a constant and a moderate price. They proposed to do this by the assertion of two great principles. First, to raise the people's subsistence, as far as they could, from our own soil; to give employment to as many of our own people as they could in the healthy and manly employment of agriculture; and to render this country thereby independent of foreign nations. And, second, that as we knew

scarcity must arise occasionally—when it did arise, and after using our own stock as far as it would go, then to open our ports and to admit foreign corn. One reason for not altering the present laws was, that the price of corn under them was gradually diminishing. There was one important point which he believed had not been mentioned in the debate—it had been touched upon in Mr. Alison's work on Population, and he would read the extract. Mr. Alison wrote :—

"Speculators purchase up grain largely on the Continent during years of plenty, and store them in the British bonded warehouses, in anticipation of the rise of prices on the first unfavourable season. There the ample store lies innocuous to the British farmer during seasons of prosperity, when its aid is not required by the British consumer; but no sooner does the expected period of adversity arrive, than it issues forth in vast quantities to avert the calamity, and diffuse the stream of plenty through every village and hamlet in the realm."

He then alludes to 1838, and continues—

"And it is particularly worthy of observation, that this fortunate effect in 1838 could not possibly have taken place if an unrestricted trade in corn had existed, and that it is the creation of the corn law, and the corn law alone. If a free importation of grain were permitted between Great Britain and the Continent, these great bonded reservoirs of grain in the British harbours would not exist. Food would be provided for a large part of our population by the foreign, instead of the British, cultivators. The temptation of sale, at a present profit, would prove irresistible to the foreign importer; and the British warehouses (of Dantzic wheat) would be emptied as rapidly upon the first rise of prices, as the stackyards of the British cultivators. The home supply being greatly diminished, and the foreign proportionably augmented, the average supply would just be about equal to the average demand, and no reserve store would be accumulated in any quarter to supply the wants of the people in seasons of scarcity. But while a free importation of grain could not provide such a reserve store, for the same reason that it cannot be provided by the domestic growers in the British islands, it is effectually secured by the present Corn Law; which, prohibiting importation in ordinary seasons, yet permits any quantity of foreign grain to be stored up in our bonded warehouses, and thus permits the surplus produce of the Continent, in years of plenty, to be set apart as a reserve for the British population in periods of scarcity."

They had been told by the right hon. Baronet (Sir R. Peel) that those laws which he once considered impolitic, he now considered unjust. The right hon. Baronet's argument would be sound and perfect, if money rained from the skies; but, in the existing state of things, it was erroneous and mischievous. But it was said that protection was the bane of agriculture, and that agriculturists required competition to excite them to economy and industry. If protection was the bane of agriculture, it was not less the bane of manufactures. Was there any reason why it should be the bane of one interest, and not of the other? If so, what a great injustice was the right hon. Baronet about to inflict upon those manufactures, on which he was going to keep a duty of ten per cent. The right hon. Baronet said it was for the sake of revenue, and he could not help it; but he would recommend a plan which would clear away all the right hon. Baronet's difficulties. Mr. M'Culloch, in his first chapter on Taxation, said, "Moderate taxation stimulates industry, makes the people more economical, and is an advantage." That was the very thing that was wanted. And he (the Marquess of Granby) contended, that protection was a great benefit. On that point he would refer to an opinion expressed by Lord Francis Roos, in the year 1610, at which time there were no Corn Laws :—

"Sir—I doubt not but by this time you are very deep in the faculty of law-making. I desire much that if any laws be passed, we may have the heads of the heads of them (the titles of the chiefest).

"I had some conference with Sir R. Buller (to whom, I pray, and Sir T. Wise remember my service), concerning a Bill that no corn should be imported until it came to some extraordinary price. Of this, having since consideration, there seems to me many reasons very strong for the converting of this Bill into a statute.

"A first is, because the importation of corn is an exportation of money, and that, even in case of necessity, is a hurt to the commonwealth, though then tolerable for the avoiding of a greater hurt, but in unnecessary cases altogether inexcusable.

"Secondly, if importation be unlimitedly allowed, the cheapness of corn will take away the benefit of husbandry; and the benefit being taken away, husbandry itself (which is usually undertaken for benefit) will decay. And if husbandry decay, there are likely to grow two main inconveniences. The one, that the poor must starve for want of work, the effect whereof hath too much appeared in the conversion of tillage into sheep pasture. A second, that in a short time, this kingdom to be set to a rent, will be less worth per annum many thousand pounds; for I think, within this twenty years, husbandry hath, in many places, doubled the yearly value of land, which, if tillage decay, is likely to return to the ancient means.

"And whereas there is a seeming objection that importation makes cheapness, and cheapness seems to favour the poor, I affirm that this importation will especially hurt the poor, and for their sakes especially it is to be forbidden. For if corn be cheap, and the poor man have no money, what avails it to him that corn is cheap when he cannot buy it? If money be carried out of the country, and the poor man be not set on work by reason of the decay of tillage, I wonder how he shall buy this cheap corn without money? I think it were better that

corn were for 7*s.* a bushel, and yet by reason of tillage the poor man should earn 18*d.* or 2*s.* a week, than, corn being at 5*s.*, he should earn 12*d.*, or perchance nothing. For, without question, half of the work at least will be abated. Besides, there are two inconveniences at this time which accompany cheapness, and make it unprofitable to the poorest sort of men. The one is, the wickedness of bakers, of whom I hear it reported that at this time they make their bread after 10*s.* the bushel. A second, of the town merchants, who buy ship loads of corn, and sell it so much under the ordinary price as may serve to undo the husbandman, and yet so near the price that the poor hath far less benefit by it than the commonwealth, yea, themselves have harm.

"Thus I have expressed to you the considerations which entered into my thoughts upon this business, which, if you think them worth the mentioning, I pray you to communicate to Sir R. Buller, which I do not to add to better judgment, but rather to submit them to their approbation. And I wish that this letter may be prevented by a statute before it comes to your hands.

"And so wishing you the direction of the Highest, and that the hand of the Almighty may be with you all unto the making of laws wholesome and restorative for this poor and sinful land, I take leave, ever resting, yours most assuredly to be commanded, (Signed) "F. Roos.

"April 30."

(Addressed) "To my loving and much-esteemed cousin, Richard Carey, Esq., London."

He now came to the consideration of the proportion which wages bore in relation to the price of food. The right hon. Baronet could no longer support the Corn Laws, because he was of opinion that the price of corn and the wages of labour did not vary in the same proportion; and one of the principal objects in the repeal of the Corn Laws was to enable this country, by reduced wages, to compete with the foreigner. The right hon. Baronet said, that the price of corn had varied 38*s.* between the years 1837 and 1844, whereas the wages of labour had only varied from 10*s.* to 11*s.* Now, if that were the case, there would be a good reason for no longer supporting the Corn Laws; but there must have been some mistake in that argument. He thought the variation could not have been so great, and that the labourer had been paid in other ways than by actual wages. He held in his hand a return which had been presented to the House of Lords, drawn up by a near relative of his own, which would throw some light on the variation between the prices of corn and the wages of labour in his own neighbourhood. That return showed the amount of wages received by forty-two labourers in the neighbourhood of Belvoir, in the month of April, in the years 1838 and 1839. In 1838, the price of corn was 60*s.*; and in 1839, it was 72*s.* In 1838, the wages averaged 11*s.* 7*d.*; and in 1839, the average was 12*s.* 6*d.* Now, whilst the difference in the price of corn was 12*s.*, the difference in the price of labour was only 11*d.*; but, in addition to that, allowances were made to the labourer in various ways. In April, 1838, the average consumption of meat in each family was 3 lbs. 11 oz.; in April, 1839, 3 lbs. 6½ oz. The average consumption of flour in April, 1838, was 39 lbs. 6 oz.; and in April, 1839, the consumption was 42 lbs. As far as flour went, the labourer did consume in that year a great deal of barley instead of wheaten flour; and he (the Marquess of Granby) suffered the same penance, for he was not allowed to eat wheaten bread. But even supposing the calculations of the right hon. Baronet to be true throughout the whole of England, no argument could be founded upon them. The cheapness or dearness of corn was generally owing to its abundance or scarcity; and it was the same thing to the farmer whether he sold fifty quarters at 40*s.*, or forty quarters at 50*s.*; because, although the price of corn might fall, he would still be enabled to give his labourers the same wages. But let the Corn Laws be repealed, and the produce of other lands freely admitted, he would no longer be able to pay the labourer the same wages. If the poorer sorts were thrown out of cultivation, the labourers must be thrown out of employment, and the increased competition in the labour market would reduce the price of wages still lower than they were at present. If the right hon. Baronet had so chosen, he might still have defended the Corn Laws. If the hon. Gentleman on the Treasury bench wished to prove that the poor man would be better off for having cheap bread, he would tell them how to act; let them give up their salaries for the space of a year, and still enjoy the luxuries which they enjoyed at present. He should then begin to believe in the impossible, and that there was something in the doctrines of free trade. But even then the cases would not be parallel, because they would have something to fall back upon besides their salaries, whilst the labourer had nothing but his labour to depend on, and when deprived of that, he would be deprived of everything. He deplored the distress which existed in Ireland, which had been made the foundation for the repeal of the Corn Laws. It had been said, if the ports were opened, it would be impossible to close them again.

Now, he could not understand the soundness of the argument founded on the failure of the potato crop; and he believed that Her Majesty's Ministers began to fancy that the doctrine was unsound, and that they had rather changed their ground since the commencement of the debate. He believed their real argument now, was, "we think the same kind of distress may exist for many years, and we do not like the people of England to be continually called upon to subscribe their money to feed the people of Ireland." He regretted that Her Majesty's Government had not, in conjunction with the Coercion Bill, introduced some measure calculated to ameliorate their distress. And if it was supposed that the repeal of the Corn Laws would relieve that distress, he would quote the observations of the noble Lord the Member for Lynn, who said that it would throw out of employment upwards of 500,000 families, and add to the two millions at present destitute upwards of three millions more. That statement had not yet been contradicted; and while the people of this country would have to feed double the number they were at present called upon to support, their power to do so would be materially diminished. He now came to the encouragement held out to induce the House to consent to the repeal of the Corn Laws. It was said the people could get their bread cheap. Immediately afterwards he was told, in some instances by the same person, that the people were not born, that the countries were not yet discovered, from which this great supply was to come. In his confusion, he naturally turned to the projector of these measures to find some consolation; but alas! the shades of evening only ended in the depths of night—confusion became worse confounded, and the right hon. Baronet would tell nothing about it, because he could not. He asked the right hon. Baronet and the House, whether it was fitting to pass a measure which would produce so great a social revolution on such statements as those which had been laid before the House—a measure which would rend asunder the ties which had existed for centuries—a measure which would tend to aggravate the great evil of the present day, the love of money, no matter how it might be made—a measure setting man against man—a measure which, under pretence of buying in the cheapest and selling in the dearest market, would unite our manufacturers with foreign agriculturists, instead of strengthening the ties which now existed between them and their agricultural friends. On such statements as those which had been adduced, he asserted that it was not becoming for the House of Commons to pass such a measure. In default of information on which to found his arguments, he was compelled to have recourse to the only arguments he had heard on the subject—the arguments of his hon. Friends around him. From them he had learned that the price of wheat, in the event of the Corn Law being repealed, would probably be from 35*s.* to 40*s.* a quarter. If that were true, he had a statement in his hand which would show how the farmer would be affected. The statement had been made at an agricultural meeting; and in order to be sure of the figures, he had written to the person who had made it for a copy. It was founded on what was called the three-field system; and related to a farm of 300 acres—100 acres wheat, 100 acres oats, and 100 acres green crop. Under the present system 100 acres of wheat producing 450 quarters would be worth 51*s.* a quarter—

In all	£1,147	10	0
100 acres of oats would produce 800 quarters at 20*s.* 5*d.* a quarter	816	13	4
	£1,964	3	4

Which would be the value of wheat and oats together, under the present system. But under free trade the value would be—

450 quarters wheat, 35*s.* ...	£787	10	0
800 quarters oats, 14*s.* ...	560	0	0
	£1,347	10	0
Suppose the rent of the land to be 2*l.* an acre, which was higher than usual, it would amount to	600	0	0
	£1,947	10	0

So that suppose the farmer paid no rent under a free-trade system, that calculation would show that he would still be a loser by 15*l.* when compared to present prices. He had several other statements of the same kind, but he would not trouble the House with them. In case an objection should be made to that which he had stated as being based on the three-field system, he would take one on the six-field system. The farm was one of 300 acres of clay land, and the rent 30*s.* an acre. A hundred acres of wheat would produce 400 quarters, which, at the present average, 55*s.* 6*d.* a quarter, would yield 1,110*l.* With the value of the barley and beans the amount which would be received under the

present system of Corn Laws was 1,841*l.* 5*s.*, while under a free-trade system it would only be 1,316*l.*, leaving a difference of 525*l.* As the rent was only 450*l.*, it followed that the farmer, even if he paid no rent—which he did not suppose the free traders intended—would be a loser to the amount of 75*l.* He was sorry to trouble the House with these statements. He had endeavoured to prove to the House that the repeal of the Corn Laws would be against all the principles of policy and of justice. But he would go further, and say that, if it was right and necessary—if the time had come for a repeal of the Corn Laws, they could not have a permanent and satisfactory settlement of the measure proposed by the present Government. In order to prove what he asserted, he would refer to some remarks in the *Quarterly Review* of September, 1842, written almost immediately after the Tariff measures of the right hon. Baronet were introduced. He was justified in saying that the present could not be considered as a permanent settlement of the question, because the right hon. Baronet had come into power, and had received the support of the agricultural party, for the purpose of maintaining the Corn Laws. The article to which he referred was written in the defence of the right hon. Member. Referring to the speech of the right hon. Member in May, 1840, it stated that he repeated early in the Session of 1841, and again more fully in the debate on the Address on the 28th of August, 1841—on which occasion the vote was taken which decided the fate of the Whig Ministry, and placed the right hon. Gentleman in power—his opinion on the Corn Law question, and stated the grounds on which alone he could accept the confidence of Parliament in these words:—

"Previous to the late dissolution of Parliament I said, and I now repeat it, that I think the sliding-scale a preferable method of settling the duty. I then said that I could not pledge myself to the details of the existing law; but that I would reserve to myself an unfettered power of considering and amending these details. I hold the same language now: I still prefer the principle of a graduated duty; but if you ask me whether I will bind myself to maintain the existing Corn Law in all its details, and whether that is the condition upon which the landed interest give me their support, I say that, upon that condition, I will not accept their support."

That was in 1841; and he thought it was evident that the right hon. Baronet had accepted their support on the condition that he should maintain a Corn Law, though not the details of that which then existed; and that remarkable declaration, the reviewer states, was enforced by many illustrative details, and was followed by that celebrated division, in which 352 Conservatives, including Sir R. Vyvyan himself, accepted the right hon. Baronet's conditions, and called him, by the unexpected majority of 91, to execute as Minister *inter alia* the amendment of the Corn Laws, to which he had so emphatically alluded. Need we, or indeed could we, add any argument to give strength to this statement and this fact, that Sir R. Peel declared boldly, almost arrogantly, the conditions on which alone he could accept the support of his party? Those conditions were accepted, and support was given to him with the most unexampled enthusiasm. Such were the reviewer's remarks; and, for himself, he could only say that, seeing that the right hon. Baronet had now proposed a repeal of the Corn Laws, that the measure was not to come into operation till 1849, and that a dissolution of Parliament must occur before that time, he could not see what chance there was of expecting that the proposed repeal of the Corn Law would be a permanent and satisfactory settlement. They had been told that they ought to have discovered the intention of the Government at an earlier period, and they had been told that Earl Grey had discovered it. But were they, the conscientious and unsuspecting supporters of the right hon. Baronet to be compared to Earl Grey, the determined but honest opponent of the Government? He would now turn to those 112 Members who had supported the right hon. Baronet in the proposed change. He presumed there was a point at which they were determined to cry, "hold, enough," and to say they had gone far enough. Let them remember they might soon arrive at that point, and that their remonstrances might be met by the right hon. Baronet, turning round upon them and saying, "You should have discovered this sooner." He had no wish to taunt them; but if they supported the Government in consequence of their confidence in it, and not on account of their belief in the justice of its measures, he beseeched them to remember the facts he had stated, and to act as their consciences dictated. They had been told that it was unwise and unworthy of the aristocracy and the landed interest longer to maintain those laws. He did not understand that assertion. Either the Corn Laws were right or they were wrong. They had sup-

ported and did support them, because they believed them to be right. He did not deny that their interests might be concerned in the maintenance of the Corn Laws; but he denied that they could injure one class without injuring another. Those who would suffer in the first instance would be the poorer tenants and the labourers. That was his belief; and he thought he had the authority of the right hon. Baronet at the head of the Government for saying, that the repeal would cause much suffering among men who had not skill or capital. The right hon. Baronet seemed to think that the aristocracy, the landed interest, and those who had capital and skill, would not suffer at all; but his belief was that they also would suffer. They could not injure the root of the tree without injuring the branches. He had yet to learn that they were not to defend the rights of a class, because in defending them they might be defending their own rights also. The aristocracy and the landed interest would be unworthy the compliment paid to them the other night by the right hon. Baronet if they feared any such taunt. But even if the right hon, Baronet should be right in his opinion that the aristocracy and the landed interest would not be injured, what a poor recompense that would be for the loss of the yeomanry of England—

> "And you, good yeomen,
> Whose limbs were made in England, show you here
> The mettle of your pasturage ; let us swear
> That you were worth your breeding, which I doubt not,
> For there are none of you so base and mean
> That hath not noble lustre in your eyes.
> I see you stand like greyhounds in the slips,
> Straining upon a start. The game's afoot ;
> Follow your spirits."

Among whom he would class the noble Lord the Member for Lynn.

> "And with this charge,
> Cry 'God for the Queen, England, and St. George.'"

He could not believe that the present measure would pass the Legislature; but if it did he hoped their anticipations of its evil effects would prove incorrect, and that the anticipations of the right hon. Baronet, however vague and uncertain they were, might be verified. The right hon. Baronet had said, that he would not consent to remain at the helm unless that helm were allowed to traverse freely. He feared, if the right hon. Baronet should succeed in altering the course of the vessel, from the praiseworthy motive of desiring to reach, in a more direct manner, the port of plenty and prosperity, he would meet the fate of many a mariner—be driven by storms and tides he little dreamt of, and leave his vessel a helpless wreck on the barren and inhospitable shores of free trade. If such should unfortunately be the case, he had no doubt the noble Lord the Member for Lynn and his crew would come forward and do what they could to get the vessel off, and he only hoped they would not be too late. He thanked the House for the indulgence they had shown him, and begged to conclude by moving that the Bill be read a third time that day six months.

Mr. MILNES GASKELL said, he rose to second the Amendment, though it was no small disadvantage to follow the admirable speech which had just been made by the noble Lord (the Marquess of Granby). He felt, however, that the obligation to perform this duty was one from which he could not honourably shrink; and in his (Mr. Gaskell's) opinion, it was imperative upon those who were unconvinced by the arguments which had been addressed to them, to state fairly and frankly before the House, and before the country, the grounds upon which their opinions remained unchanged. If he had come to a different conclusion upon this subject since the proposition of the Government had been first brought forward, he would have called upon his constituents either to record a change of opinion upon their own part, or to select some other Gentleman better qualified to represent them than himself—he would not have taken advantage of the privilege which they had conferred upon him for the purpose of promoting measures which he had been returned to that House to combat. He knew it had been said by very high authorities, by the noble Lord the Member for London, and by others, that this was a doctrine not recognized by the Constitution, and subversive of the legitimate functions of Members of that House. Now, he (Mr. Gaskell) was one of the last men to assert a principle tending to impair or limit them. He differed even from his noble Friend the Member for Newark (Lord J. Manners) in the opinion that the Parliament of 1714 had not been justified by a great State necessity in the passing of the Septennial Act; but surely there was a broad and intelligible distinction between the legislative competency of Parliament, and the equitable right possessed by its Members to break engagements which they

had themselves voluntarily made. H could conceive no course more likely to weaken their just authority than that of acting in disregard of such engagements on great national questions. The present measure had been ostensibly introduced on account of the failure of the potato crop in Ireland. He apprehended that, without the aid of some such pressure, it could hardly have been expected that a majority of that House would assent to it, and still less that those Members of the Cabinet who had resigned their offices would so easily be induced to resume them. He doubted whether the extent of the potato failure was so great as had been stated; but admitting, for the sake of argument, that it was so, he saw no grounds for the assumption which had been made so largely in these debates, that if the Government had once opened the ports, it would have been impossible again to close them. That might have been legitimately tested; and he (Mr. Gaskell) must say that it would have been more creditable to the House of Commons, and more satisfactory to the country, if the sense of the people had been constitutionally ascertained. Four years only had elapsed since the enactment of the existing Corn Law. There had been a prevailing impression at that time—an impression to which the language of Her Majesty's Ministers gave additional weight—that that settlement would not be lightly disturbed; and it was difficult to understand how the experience of the last three years—years of prosperity and abundance—of good harvests and high wages—could justify the Legislature in upsetting it. He had heard nothing in the course of these debates to shake his opinion upon this subject. It still appeared to him that a law which in time of low prices protected the producer, and which in time of high prices protected the consumer, was neither impolitic nor unjust: he still believed that the free importation of foreign corn into this country would have the effect of checking the cultivation of the soil, and of throwing out of employment a large proportion of the agricultural population. It had been impressed upon their minds by Her Majesty's Ministers, in former years, that it was not so much the property of the landlord or tenant-farmer that was at stake, as the daily subsistence of the great body of the people. They had been told that, with the price of labour at present paid in this country, it would be impossible for the farmer to cultivate his land, and that, consequently, a large portion of it must go untilled. They had been told that the price of labour was so low in the north of Europe, that there could not be an unrestricted importation of corn from the Baltic without a serious injury to the home grower; that the foreign grower would be the party who would reap the greatest benefit from the change; and that, instead of its increasing the demand in foreign countries for our manufactures, it would leave more capital at their disposal for the improvement of their own. The noble Lord who had just sat down had most truly said that they were constantly met by two arguments upon this question, which were utterly inconsistent with one another. When it was sought to enlist the passions of the operative, it was said, this is an odious monopoly—a bread tax—the landlords are intercepting the supply of food to the people; but when it was the agriculturist who was to be persuaded that his apprehensions were delusive, he was told there would be no serious diminution in the price of corn; and the calculations of Mr. Wolryche Whitmore and Mr. M'Culloch were referred to in support of that assertion. It was the opinion, he believed, of those gentlemen, that corn could not be permanently introduced into this country at a less amount than 52*s.* or 53*s.* a quarter. If this were so, what became of the charges of inhumanity that were so largely dealt in? On the other hand, if you could introduce corn into this country at a much lower rate, and if by the reduction in the number of farmers and agricultural labourers, the competition for manufacturing labour became increased, then surely the price of labour must fall, and great hardship must accrue to the agricultural population. He owned, also, that in his opinion it would be most unwise to place this country in a position of dependence on foreign nations for its supplies of food. He knew it was the fashion to deride such apprehensions now; and men were branded as destitute of common sense, if they held the opinions of Mr. Canning and Mr. Huskisson on commercial questions; but he (Mr. Gaskell) could not forget that in 1842 the right hon. Gentleman at the head of the Government had expressed his opinion that this risk would be imminent; and he was at a loss to understand how the experience of the last three years could have proved an argument to be fallacious, which was based upon great national considerations. They had been told, too, by Her Majesty's Go-

vernment, in former Sessions, that the withdrawal of protection would be tantamount to a great social revolution; they had been warned in pathetic language by the Secretary of State against the severance of old ties, and the breaking of old associations. They had been told that this was a struggle to amass wealth and power, not to feed the people; that the subscription of immense sums of money to political associations was not consistent with the allegation of manufacturing decay: they had been told that this was an aggressive movement against the occupiers of land; that its object was to give an ascendancy to the inhabitants of towns over the rural population. They were told by the same parties now, that the maintenance of the Corn Laws was no longer possible; and that those with whom he acted were embarked in a hopeless and unavailing struggle. He (Mr. Gaskell) would give no opinion upon this point; he knew that a powerful combination of parties had declared against the continuance of these laws. He knew that a section of the party opposite—of which he wished to speak with all the respect due to its able and consistent advocacy of this measure—had acquired a predominating influence in that House. He knew, also, that the leaders of what had once been a great party had appropriated and adopted the arguments which they had so long resisted. The measure, under their auspices, might be successful. If its triumph should be completed, either in that or in a future Parliament, he trusted that it might be followed by all the benefits which the Gentlemen opposite had so long predicted, and not by the evils and the dangers which they (the protectionists) could not help anticipating. But be the result of that triumph what it might, they would at least have the satisfaction of reflecting that it had not been the experience of a small or doubtful good which they had preferred to speculative advantages; but a system under which it was universally admitted that this country had risen to the highest pitch of fame, of prosperity, and of power—that they had thought an adherence to fixed and settled principles was not a thing to be lightly regarded in the government of a great people—and that conceding one day what you had described as mischievous the day before, was a sure means to alienate from public men the confidence and good opinion of their fellow citizens. Lastly, they would be consoled by the reflection that at a time of great difficulty and trial, when party attachments had been broken up, they had refused to separate the maintenance of public engagements from the furtherance of the public good, and had neither abandoned nor betrayed the interests committed to their care.

Mr. SHERIDAN rose with great reluctance to bring before the House a matter of a somewhat private and personal nature; but, at the same time, intimately connected with the subject then under discussion. It would be in the recollection of the House that on Friday last the noble Lord the Secretary for Ireland, in reply to the senior Member for Dorsetshire, suggested to him that he would be more properly occupied in comparing the condition of the agricultural labourers of Dorsetshire with that of the Irish peasantry. With all due submission, and without intending any disrespect, he (Mr. Sheridan) must say that this was sound and wholesome advice; and he trusted that the hon. Member for Dorsetshire, as well as his Colleagues, would take it into their consideration. The hon. Member for Dorsetshire (Mr. Floyer), in reply to the noble Lord the Secretary for Ireland, stated, that so far as regarded his own neighbourhood around the county town of Dorsetshire, and in other parts of the county, the statements of the noble Lord, founded on what he (Mr. Sheridan) had stated, were directly at variance with truth. Now, that was a strong expression; but, at the same time, he felt confident, from his knowledge of the character of that hon. Gentleman, that he would not so far forget what was due to him as a personal friend as to say anything offensive. He would not attempt, nor would it be congenial to the House, nor in good taste, to attempt to controvert that assertion by one of an opposite character. He would not go upon his own responsibility at all; but he would produce to the House, and for the satisfaction of the hon. Gentleman, statements made by gentlemen connected with the county, clergymen of the Established Church, men whose names were well known, and who were familiar with the condition of the poor. Last Friday he had addressed letters to several gentlemen on this subject, and he had received replies, which he would read to the House. The first was from the rev. Mr. Scott, brother of the hon. Member for Roxburghshire:—

"Maiden Newton, Dorchester, May 10, 1846.
"My dear Sheridan—You ask for an answer by

return of post, and therefore I write; but three full duties, besides Sunday school, give me so little time that I shall only say two words, and write again to-morrow. I certainly do not understand Floyer saying that he never knew wages so low as 7*s.* per week, for I have known many such instances, and his means of information are much more extended; and if you have got below the mark in stating 7*s.* as the average rate of money wages, I am convinced that you are only 6*d.* under the usual terms, for at this moment I know several instances of able-bodied and good labourers having received barely 7*s.* 6*d.* per week, without any other advantages, during the whole of the last winter, *i. e.* from Christmas up to this time. Some occasionally get a day or two task-work, which they consider a great advantage. I have no time for more to-day; but you are perfectly at liberty to use my name for all I have said.—Yours ever faithfully, "William H. Scott."

The next document was from the Rev. Sydney Godolphin Osborne :—

"May 11, 1846.

"My dear Sheridan—I have read with much astonishment the speech of Mr. Floyer. I enclose for your perusal a statistical return of the wages, &c., in this, the Blandford Union. It was made for me three years ago—I believe it to be true of the present year—at the time I happened to be chairman of the board. I tested its truth myself, and am ready to defend it anywhere. I will give you, in confidence, the name of the individual who took it for me, which will, I think, be a sufficient guarantee for its correctness. I have no hesitation in saying it gives the most favourable view possible of the case of the labourers in the Blandford Union. In the year in which it was taken, 1843, between a seventh and eighth of the whole population of the union were paupers; and it will not be denied that a very large sum was then and is now collected in the shape of private rate, which does not appear in any tangible public shape. The Blandford Union has two districts. In the first, you will observe the wages vary from 8*s.* to 9*s.*, except in Stourpaine and Crawford, where they are returned, in the former at 7*s.*, the latter from 7*s.* to 8*s.* In the No. 2 district you will find seven or eight parishes returned at 7*s.* wages. Pray pay attention to the observations in red ink; they are those of a well-informed man. I have paid a great deal of attention to the subject, and I have no hesitation in saying that, taking males of 21 years of age to be men, the average pay of the union—the best, I believe, in the county—does not average 8*s.*, including carters. I believe our board of guardians to be as humane and liberal as any in the kingdom—the guardians chiefly substantial yeomen. I have heard again and again relief granted, on grounds admitted to be evasive of the Poor Law Commissioners' order, to able-bodied men, because their wages were only 7*s.* or 8*s.* a week, and they had a large family. The usual course is to put it to the account of a sick child; for instance, a few weeks ago I saw relief in the shape of six loaves, and, I think, 6*d.*, given to an able-bodied man, on account of a sick child. I turned to the medical officers' book, and found it was an infant of ten months with mesenteric disease! The relieving officer at once admitted that this was only an excuse, as the man's family was so large he could not live on his wages. As to the food of the poor, its staple is potatoes, some get a little pig meat; their bread made from grist. I am ready to corroborate your statement of the iniquity of the grist system. I send you, for your private information, the name of two individuals who ought to know, if anybody ought, the truth on this matter; they have both assured me that the corn sold to the labourers, as grist, at sums varying from 6*s.* to 7*s.* a bushel, was, much of it, unfit for human food; none of it would have fetched 3*s.* a bushel in the market. If I mistake not, I can furnish you with some samples, which you may lay on the Table of the House. Do not be humbugged about piece-work; it is always so arranged, that the men working hours which would make up a week of eight days do not earn 1*s.* 6*d.* a day, very seldom 16*d.* My opinion of the condition of the Dorsetshire labourers is simply this—that owing to custom and combination they are, with the exception of a few favoured districts, brought to the lowest possible state of existence, physical and moral. If they ever were worse off than they are now, I can only say that the owning and occupying ancestry of the county deserve a reproach on their memory more bitter than I am to-day inclined to write. My earnest wish is, that a Commission, with power to examine on oath, should be granted by the Crown to investigate their condition; before that Commission we will easily prove the Soper case to be only one of 10,000. I will only now add my poor thanks to you, and the expression of my own determination to leave no step unturned to force the public to look into the state of the poor in these counties.—Yours, in haste, "S. G. Osborne."

The hon. Member (Mr. Floyer) further stated that he actually knew no case in which wages were so low as 7*s.* per week. Now, he (Mr. Sheridan) took the trouble to write to the relieving officer of Dorsetshire on this subject; and Mr. Burt's letter was as follows. But before he read it, he begged to say that it did seem strange that a gentleman so highly respected, and so well known as the chairman of the board of guardians, should come forward and assert in his place in Parliament that he did not know a single case in Dorsetshire where wages were so low as 7*s.* per week, when day after day, week after week, month after month, year after year, he had affixed his name to the relief and application book in which the cases appeared where relief was given on the ground of such low wages. Mr. Burt's letter was dated May 10, 1846. He says—

"In compliance with your request I have sent you a list of all the able-bodied labourers who have received or applied for relief through my books during the two winter quarters. I believe the average rate of wages in my district not to exceed in money from 7*s.* to 7*s.* 6*d.* a week, and I think the extract I have sent you fully bears me out in that opinion. I cannot recollect the names at present, at least to speak with certainty, but I know there are numbers of labourers working for from 7*s.* to 8*s.* per week, and paying their own house-rent."

He had also asked Mr. Burt a question

which he likewise wished to ask the hon. Member (Mr. Floyer)—whether he could cite a case in the county of Dorset where a man was paid by the day more than 8*s.* per week. Mr. Burt said—

"I find I have not answered your question, 'If I know of an instance of a labourer working by the day earning more than 8*s.* per week?' I believe I can very safely say I do not, neither do I believe there is a single instance in my district."

So much for the hon. Member's assertion that he did not know a case in the county of Dorset where a labourer received so little as 7*s.* per week. But, to make his case still more clear, he would read extracts from the document which had been sent him by the relieving officer, showing the names of those who were in receipt of 7*s.* per week. He would not read the names of those who received more than 7*s.*, because the question turned upon the statement whether there were labourers receiving so low as 7*s.* per week. The document was entitled—

"Extract from the relieving officer's book of applications in the district of Maiden Newton, Dorchester Union, of applications from able-bodied labourers for relief, either from insufficiency of earnings, or illness of themselves or families, in the quarters ending December, 1845, and March, 1846, with the amount of their earnings."

The first case was that of David Legg, Ann Legg, his wife, and two children, residing at Charminster; they received 8*s.* a week, and paid 2*s.* 6*d.* per week for house rent.

"This application was on account of insufficiency of earnings." "William Dare, Mary, his wife, and five children, from Vanchurch, wages, 3*s.* per week; pays 1*s.* 6*d.* house-rent. This man's earnings have not averaged this winter more than 7*s.* per week. The relief was given by the relieving officer, on finding the family in a state of destitution." "Richard Legg, Mary, his wife, and five children, from Vauchurch, wages, 7*s.* per week, house-rent 1*s.* 3*d.*" "Elijah Wheller, Elizabeth, his wife, and four children, from Vanchurch, wages, 7*s.* per week, house-rent 1*s.* 3*d.*" "Luke Bridle, Mary, his wife, and three children, from Vanchurch, wages, 7*s.* per week, house-rent, 1*s.* 6*d.*" "Reuben Wells, Elizabeth, his wife, and two children, from Maiden Newton, wages, 7*s.* per week, house-rent, 1*s.*" "Job Smith, Charlotte, his wife, and three children from Maiden Newton, wages, 7*s.* 6*d.*, and a house, fuel, and potato ground. This man applied for medical attendance when his wife was confined, which was refused by the board of guardians; a midwife attended her, and she died in childbirth."

He begged the attention of the right hon. Gentleman the Secretary of State to this last case, which ought to be investigated. (The hon. Member having quoted six other cases of a similar kind, continued): He held in his hand a statement which showed the amount of wages and the general position of the labourer in the parishes in the Blandford Union. They were as follows:—

"In Almer—Population, 194; houses, 38; permanent paupers, 8, special cases, 9; wages, 8*s.*; houses, rent free; potato ground of occupiers, free; carriage of fuel, free; women and boys, generally employed. In Anderson—Population, 43; houses, 12; paupers, nil; wages, 7*s.*; carriage of fuel; potato land of occupiers, free; house-rent, free. In Charlton—Population, 3297; houses, 90; permanent paupers, 18, special cases, 19; wages, 8*s.*; house-rent, high; fuel, scarce and dear; potato land of occupier, at 6*d.* per perch. In Hilton—Population, 731; houses, 133; permanent paupers, 31, special cases, 27; wages, 7*s.* and 8*s.*; house-rent, low; allotments, at 1*d.* per perch; fuel, moderate. In Milboines—Population, 577; houses, 118; permanent paupers, 30, special cases, 19; wages, 7*s.* to 8*s.*; house-rent, 1*s.* 6*d.* to 2*s.*; allotments from owners; potato ground—men, 15 perches, free for occupiers; boys, 5 perches, ditto; employ for women and boys. In Milton Abbas—Population, 845; houses, 113; permanent paupers, 18; special cases, 36; wages, 7*s.*, 8*s.*, and 9*s.*; house-rent, 5*s.* per room per annum; allotments from owners, 40 perches at 1*d.*; fuel easily obtained, and cheap; women and boys generally employed; many labourers work in woods, and at piece-work. In Spetisbury—Population, 654; houses, 135; permanent paupers, 19, special cases, 22; wages, 7*s.* to 8*s.*; house-rent, 1*s.* to 1*s.* 6*d.*; allotments from the owner; boys and women generally employed; fuel, at moderate price. In Clenston—Population, 99; houses, 17; permanent paupers, 7, special cases, 2; wages, 8*s.*; house-rent, free, and carriage of fuel; good allotments from owner; women and boys employed. In Houghton—Population, 305; houses, 55; permanent paupers, 17; special cases, 9; wages, 8*s.*; house-rent, 1*s.*; allotments from owner; employ for women and boys, allowed to cut fuel on the common. In Kingston—Population, 569; houses, 144; permanent paupers, 26; special cases, 23; wages, 7*s.* to 8*s.*; house-rent, high; allotments from owner, good; constant labourers, potato ground, free; fuel, scarce and dear. In Stickland—Population, 383; houses 81; permanent paupers, 26, special cases, 16; wages, 7*s.* to 8*s.*; house-rent, from 1*l.* to 3*l.*; good allotments from owner; boys employed; fuel moderate. In Tomson—Population, 48; houses, 8; permanent paupers, *nil*; house and gardens, free; wages, 7*s.*; potato ground of occupier free. In Whitchureh—Population, 543; houses, 108; permanent paupers, 15; special cases, 3; wages, 8*s.*; house-rent, low; good allotments from owner; boys and women employed; fuel reasonable. In Zelston—Population, 223; houses, 48; permanent paupers, 10; special cases, 3; wages—single men, 6*s.* married men, 7*s.*; house-rent, high. In Turnwood—Population, 89; houses, 15; no paupers; wages, 8*s.*; potato ground of occupier, free; and many other advantages."

Now, he really thought his hon. Friend had scarcely done him justice when, in the face of these facts, his hon. Friend had declared the statement which he had made was not in accordance with the truth of the case. His hon. Friend had, however,

gone further, and maintained that there never had been a time when the labouring population of Dorsetshire were so well off as at present. It appeared, however. that in the union to which he referred, the number of paupers last year was 120, while the number now was 148. This, surely, was no proof that the labouring population were better off. His hon. Friend, however, had gone still further and stated that, although in some spot in the county the wages might be as low as they had been stated to be, yet that he believed the fact might be accounted for by some peculiar circumstance—as, for instance, that the labourer was not thoroughly up to his work. Why, how, in the name of Heaven, could a man be up to his work upon horse-beans and turnip-tops, with residences ill-drained and over-crowded, and generative of disease? He maintained that, on the contrary, the wages of the labourer were scandalously low and insufficient to maintain himself and his family. Those were not his mere assertions: they were corroborated by the clergy and gentry of the county. They were repeated also by Lord Ashley at the meeting at Sturminster; and he believed that the noble Lord lost his seat for the county in consequence of the declaration he there made. The prudence of the hon. Member in not following in the noble Lord's footsteps was to be admired; but the hon. Member certainly had not done justice either to his constituents or to the subject. He was well aware of the odium he should incur by the course he was taking, but he disregarded it; and as long as he had the acknowledgments he had received from the clergy and the gentry of the county, that he was really doing good, so long would he continue to agitate this question. He would have been content here to sit down, and to say no more; but he well knew that his hon. Friends on that side of the House, and the Members of the League, would ask him how, with these opinions, he could oppose this measure for the repeal of the Corn Laws? He had yet to learn, however, that the withdrawal of all protection would improve the condition of the labourer. It was still argued that the price of labour depended on the price of corn; though he would have thought that the right hon. Baronet had set that question for ever at rest. On the other hand, he had heard it asserted by Mr. Farquharson, whom his hon. Friend well knew to be a gentleman possessing great influence in the county of Dorset, and of great practical experience in agriculture, that, long as he had been a farmer, which was for a period of twenty or thirty years, he had never known wages to vary in Dorsetshire, whether wheat was 20*l.* a load, or 10*l.* He firmly believed that wages in Dorsetshire were fixed, by custom, combination, and the tyrannical use of the New Poor Law; and he was confident, as long as that law was administered in the way it was at present, so long would the labourer remain in the same degraded and suffering condition. He would produce a case to prove what he said. It very frequently happened (and he was proud to be able to say it) that the labouring poor came to him for advice when they were persecuted under this law. Amongst the cases brought before him was the following. It was in February, 1846, and was stated thus:—

"William Rendall, living at Nettlecombe, in the parish of Poorstock.—He has a wife and seven children. His earnings per week are 7*s.*; the eldest boy, 15 years of age, is working for Mr. Roper at 2*s.* per week; and the fourth child, a boy, earns 1*s.* per week. The youngest child is only two years old. The wife nets a little; so do two of the children. Their united earnings amount to 10*s.* per week. Out of this they are compelled to pay 4*l.* per annum for house-rent, to purchase fuel, and are not allowed potato ground. The relieving officer of the Beaminster Union has been applied to for an order of the house in consequence of William Rendall's earnings not being sufficient to support his family, but he refuses to grant the order, saying that William Rendall is an able-bodied man, and telling him to do as he could."

The answer of the relieving officer when applied to about the case was as follows:—

"Respecting the case of Rendall, belonging to the parish of Poorstock, I beg to inform you I brought it before our board. His application was refused by the guardians, he having an opportunity of bettering himself, which he refused to avail himself of, because he did not think proper to take any situation out of his own parish. I have no doubt in his present situation the parish will assist him with a little bread for a short time."

Now, here was a case where the guardians thought the wages not enough, and relieved a little, but for a short time only. What was the alternative? Why, that the labourer was obliged to go back and take these scandalously low wages, which were a disgrace to the country. It would, however, be argued by the economists that the price of labour depended in a great measure on the demand, and that the surplus of the agricultural districts would be drawn off to the manufacturing. He admitted that free trade might cause an increased demand; but that demand would be confined to the manufacturing districts—it would not reach the rural districts in the

south. Therefore, he contended, the agricultural labourer would not be benefited by that increased demand. If proof were wanted, he apprehended it was to be found in the fact that, at a time when trade was flourishing, and the demand for labour was greater than it had been in former years, and even when two railroads were in course of construction in the district, there had been no increase in the wages of the agricultural labourer in Dorsetshire. Wages, now that wheat was from 56*s.* to 60*s.* a quarter, were no higher than last year, when it was 47*s.* a quarter. He would not, however, further trespass on the House on the general question; and he begged to thank them for the attention they had afforded him.

Mr. FLOYER thanked the hon. Member for Shaftesbury for the courtesy he had shown, and he trusted he had too high a sense of admiration of his hon. Friend's object, to question for a moment his veracity or his truth. When he entered the House on Friday night he had no intention of trespassing on the indulgence of the House; but when he heard the statements put forth by the noble Lord the Secretary for Ireland, he did think some wrong impression would go forth to the world as to the condition of the poor in Dorsetshire. No doubt that noble Lord was referring to the authority of the hon. Member's letter, but he stated that wages in the county of Dorset were generally 7*s.* a week, out of which the labourers had to pay their own rent. His own experience led him to believe that the impression would be an unfair and an unjust one; and, therefore, he rose and appealed to the House; and he asked them whether that would not be the impression upon their minds? He believed in his own neighbourhood the lowest rate of wages in common was 5*s.* a week, a house free, a garden, some fuel, and some potato ground. He thought it was not unfair to consider, therefore, the common rate of wages to be 9*s.* a week. He also stated, and he believed he was right in stating, that in his own neighbourhood, and in other parts of Dorsetshire, if the wages were put at 7*s.* it would be unjust towards the employers of labour. In confirmation of his statement he might appeal to his hon. Friend's own letter, in which he referred to a case brought before the board of guardians the last day he had the honour of meeting the hon. Gentleman there. That case was the following: The person who made the application was a poor man, with wages of 7*s.* 6*d.* per werk. He applied for relief, but the board decided that they would not give it, because his rate of payment was below the usual rate of wages in the neighbourhood, and, therefore, if they did, that they would be giving the employer the opportunity of getting labour at a less rate than they were entitled to do. They would be saving their own pockets at the expense of the ratepayers of the county. If 7*s.* per week had been the usual rate of wages, would the board of guardians have given him an order for admission? It was not the custom for them to give orders to those who received the common rate of wages in the county; and that was stated at the board of guardians, and acted upon for that reason. There might be instances in the overseers' book where labourers had but 7*s.* a week; but this was the exception proving the rule, for those labourers who had but 7*s.* a week would not have applied for parochial aid if their wages were not lower than their neighbours'. He had stated on a previous occasion that he believed the labourers in Dorsetshire were as well off at present as they had been for some years. He now reiterated that statement. He did not hold a farm in his own hands, but he had some labourers engaged who earned by measure work at from 10*s.* to 11*s.* a week; and even at this rate of wages, such was the demand for labour, that many of the labourers had quitted the district. There was at present more demand for labour in that part of the country, than there had been for many years at the same season. As regarded the state of the poor-house, he did not think it necessary to enter at any great length, as it formed no criterion of the state of wages. The greater part of the inmates of the workhouse in his locality consisted of aged persons, and of single women with illegitimate children. There were not more than four or five able-bodied labourers in it. As respected the condition of the potato crop in Dorsetshire, he might add, that potatoes were now selling in Dorchester market at from 7*s.* to 8*s.* a bushel. His labourers had assured him that their stock of potatoes had by no means deteriorated, or in any way become diseased since they were stowed up. He did not mean to say that the condition of the Dorsetshire labourer was as good as it might be; but what he would say was, that it was much better than had been represented. He did not mean to give any opinion as to the propriety of the custom

of paying the labourer partly in money and partly in provisions; but it prevailed to a very considerable extent in Dorsetshire, and advantage was taken of the system to make out a case against the farmers and landlords of that county. The lowness of the rate of wages had been complained of in and out of that House; but it had not been stated that when the money rate of remuneration was low, there were other kinds of remuneration, such as a bushel of wheat every fortnight, which ought to be taken into calculation. He could not see how the proposed measure could in any way ameliorate the condition of the labourer. It might as well be said, that supposing a town on the Continent, at present exclusively supplied with our manufactures, we would benefit the manufacturers who supplied it by sending into that town the same kind of goods at a cheaper rate from another quarter. How could it be if we imported foreign corn largely, that we would not displace a quantity from our own soil? The principal question that was discussed was, to what extent the people of this country could consume corn. This question had been fully entered upon by his noble Friend the Member for Lynn, who had proved irrefragably that the present law was quite compatible with an abundant supply of food. In the course of the past year, when there was a bad season in foreign countries, when, in fact, foreign Governments had thought fit to close the ports against exportation, yet, notwithstanding that, we had in bond at present 1,500,000 quarters of corn, which, probably, before the end of the year would be increased to 2,000,000. If this was the case during a year such as the past, what must it be in the generality of years when foreign countries, from abundant harvests, were able to export largely? The hon. Member concluded by expressing a hope that he had satisfied the hon. Member for Shaftesbury and the House in the explanations he had made, and by declaring, that however inadequate to the task, he could not patiently sit by and hear such exaggerated statements respecting the condition of the labourers in his native county, without endeavouring to set the House and the country aright on the subject.

SIR J. EASTHOPE: So far as the wretchedness and misery of the Dorsetshire labourers were allowed to affect the question before the House, he thought they had no longer any ground for debate or controversy. They had had a somewhat angry contest as to whether the Dorsetshire labourers earned 7*s.* or 7*s.* 6*d.* or 8*s.* a week; and they had been gravely told by the representative for the county that for the life of him he could not find out how the importation of foreign corn, and the consequent reduction of the price in this country, could work any benefit to those poor creatures. He must humbly but earnestly entreat those luminaries from Dorsetshire to put the question to the poor beings themselves, with whose condition they affected to be so familiar; and if the poor creatures had life enough in them to answer it, he would stake his existence that they would never reply that it made no difference to them whether corn was 5*s.* or 7*s.* a bushel. It was really much too like trifling to say, that it made no difference to a working man with a wife and four or five children, whether the price of his corn was low or high. This assertion was doubly ludicrous when made by those who boasted that they wished for protection to the land, chiefly, if not solely, for the sake of the labouring poor. The way this topic had been handled in that debate, would, he hoped, at all events, save the House from its introduction into their discussions in future. He could very truly say, with the hon. Gentleman who had spoken last, that he had not intended to take up the time of the House during this debate, which was, he hoped, now drawing to a close; but he must take that opportunity of expressing, on behalf of working men, who, though not so badly off as the Dorsetshire labourers, were far from being in a prosperous condition—he meant the population of the large manufacturing town which he represented—the deep sense of obligation which they felt to the right hon. Baronet (Sir R. Peel) for the introduction of this measure; a measure which would, in his opinion, confer the greatest benefit on the country at the present time, and the advantageous effects of which would be felt for ages to come. No words he could employ could adequately express the gratitude felt by his constituents to the Government for this great and comprehensive measure. Sure he was that those Gentlemen who exhibited such sensitiveness as to the condition of the labourers, contending that they would be worse off on account of this measure, would soon discover their mistake, and find that the labouring poor had no sympathy with their opinions. The poor knew too well that they became poorer and poorer as corn rose in

price. It was nothing less than an insult to their common sense and understanding to tell the people it was of no consequence to them whether corn was cheap or dear, when the farmers' friends, on their own showing, proved that the agricultural labourers could not earn more than 6*s*., 7*s*., or 8*s*. a week in the years of great comparative prosperity. He should not attempt to debate this question. It had been already worn threadbare. The feeling of the country was that it had been already fully discussed, and that the sooner it was finally settled the better. He could not conclude without again thanking the Government for the bold and manly front they had assumed with respect to it.

Mr. W. MILES said, that after the able speeches of his noble Friend, and of his hon. Friend who moved and seconded the Amendment, he must express his surprise that no Member of the Treasury benches had yet thought fit to reply to them. He was not so surprised at the three last speeches remaining unanswered; as, had it not been for a misunderstanding relative to the wages of the Dorsetshire labourers, they might not have been favoured with them; and those hon. Members did not enter at any length upon the subject of the night. But he must again express his wonder, that no Member of the Government had replied to the speeches of his noble Friend, and of his hon. Friend; not only because of the excellent matter with which these speeches abounded, but on account of the position of the speakers who left the Government on a point of principle. Before entering upon the subject, he would premise by saying once more, that this was not the selfish case of the landlord, but of the tenant and of the labourer. He thought that as regarded this aspect of the measure—namely, as it affected the tenant and the labourer, something remained to be said, and he would endeavour to fill up the void, and thoroughly to enter into the subject as a farmer would. He would undertake to prove—and he challenged confutation—that the measure would not only injuriously affect the landlords, but much more the tenant, and still more than all the labourers. He would studiously avoid touching on the home trade, and would confine himself as much as possible to the purely agricultural part of the subject, and the interests which the measure would peculiarly affect, in case it became the law of the land. His observations would be first directed to the law of 1828; next, to the present law; and lastly, to the state of things when corn would be freely imported. He thought it would be necessary to set forth the quantum of protection enjoyed at present, in order to show the improbability of a British cultivator being able to cope with the foreigner under a system of perfectly free trade. He would, in viewing the third period to which he had adverted, namely, a perfect system of free trade, make no account of the three intermediate years during which it was proposed there should be a diminished protection. He would simply take the year 1849, when a perfectly free trade in corn might be supposed to exist. By the spirit and words of the Act of 1842, a fair and moderate protection was meant to be given to the British agriculturists. He need not say that his hon. Friends cordially concurred with the right hon. Baronet in passing that law, because whilst it did away with a very high nominal duty, useless to the farmers, and harassing to the manufacturers and the great body of the consumers, it also corrected the averages, and gave a check to gambling and improper speculation. It afforded to the farmer a fair moderate protection, to which he was justly entitled whilst the disparity between taxation here and taxation on the foreigner existed, and whilst there was so great a difference in the wages of labour here and on the Continent. He regretted that the Report of the Committee of the other House to inquire into the Burdens on Land, which had been moved for, was not then before them; for, as far as he could understand, it would prove that the landed interests were subject to burdens of a peculiar and onerous nature, and, he was led to think, something further, to show that if they abolished the Corn Laws, the rest of the community would be placed in very perilous circumstances. But he would not refer to that, and he would merely go into the case of the English as compared with the foreign agriculturists. He took it for granted that the spirit of the sliding-scale, which they were now about to abolish, was, that whilst it gave to the English farmer almost a monopoly of the home market when prices were low, it afforded to the consumer, when prices rose, a gradual supply of foreign corn, the duty being easily paid by the foreign merchant when the grain became necessary to the home consumer. Thus the consumer was relieved from all apprehension of scarcity, and the farmer was secured a proper re-

muneration for his produce. It had been said that during the present year the sliding-scale refused to slide, and that that was one of the reasons which, together with the potato disease, had determined the Government at once and for ever to abolish the present law. That was not supported by arguments or by facts. He admitted that the price of corn the growth of 1844 and the growth of 1845 was very different. But then it was necessary to consider the difference of seasons. 1844 was a year of extraordinary abundance; the harvest was particularly good, and the corn had been housed in admirable condition. In 1845, the harvest weather was precarious, and the corn was generally put away in a damp condition. But was not, he might almost call it, the inestimable advantage of protection conspicuous by its effects in these years? For so well was the matter regulated, that there was at the end of 1845 four months' supply untouched. There was, he admitted, great variation in the quality of the wheat. That which sold for 48*s.* in 1844, had undoubtedly produced this year from 70*s.* to 72*s.* a quarter. He had himself sold wheat the growth of 1844, weighing 66 lbs. a bushel, and such as was fully equal to the finest Dantzic, to the milling trade, for mixing. Under every circumstance they still found that under this system they obtained every thing they wanted in their own country; and he defied any person to say that the quality of the bread in London was bad. They had at least for two or three months this year very little of foreign corn brought in for consumption. There was, however, a very large quantity stored up, ready to be brought into the market when the 4*s.* duty would come into operation. The law of 1842, compared with that of 1828, was good, both as to the consumer and the producer. But what had it done for the revenue? Because upon such a question as this it was highly necessary in the state of the public revenues of the country, not only to consider that if in the years 1849 or 1850 they were determined upon abolishing all indirect taxation and on adopting a system of direct taxation, they should also look with an eye of jealousy upon the repeal of any law that gave so good a revenue, and at the same that secured a remunerative price to the farmer for his produce. He found, by the law of 1828 there were 13,626,315 quarters of wheat imported, which paid an average duty of 5*s.* 3*d.*, and the average price of which for fourteen years was 58*s.* The revenue collected under this Act was 3,576,907*l.* for a period of thirteen years. Dividing, then, that amount by thirteen, they would have the revenue, under the law of 1828, 255,493*l.* per annum. Under the law of 1842 there had been no less than 4,576,000 quarters introduced into this country, at the average duty of 7*s.* 4*d.* He found the average price of it to be 46*s.*, so that it was introduced into this country, inclusive of duty, at a sum of 53*s.* 4*d.* By a Parliamentary Paper he found that the duties received under that law amounted, per annum, to 690,368*l.*, so that they had here a lower price to the consumer, which under the law of 1828 was 58*s.* per quarter, and under the law of 1846, 53*s.* 6*d.*, and a greater revenue to the State, being 255,493*l.* at the former period, while 690,368*l.* was received as annual revenue under the law of 1842. Therefore he thought, from the short sketch which he had given, he had proved that the law of 1842, as compared with that of 1828, while it gave a fair and moderate protection to the farmer, was better for the consumer, as it gave him bread at a lower price, while it was at the same time infinitely better for the revenue of the country. That finished this part of the subject. All he had to say farther with regard to it was, that he wished they would let well alone. They had a law which was not only a good revenue law, but which was also good for the consumer, and with which at the same time the producer was perfectly satisfied. Now it would be necessary for him to look at that part of the subject which went to a total reduction of duty in the year 1849; and to do this it would be necessary for him to show what the prices of corn were likely to be with a perfectly free system of free trade existing in this country. Her Majesty's Ministers had declined to prophesy on this question —notwithstanding the information which they must have—notwithstanding all the information which was open to any individual who would take the trouble to examine it. For his part he would not go into the old hackneyed sources of returns from Hamburgh or Dantzic—he would take the statistics of the world, because it must be remembered it was from the world at large they were to be supplied. Not from Europe alone, but from America, Asia, and Africa, England was to draw her supplies; and in looking to these he would direct the attention of the House to

those two great sources from which, on a former occasion, he stated his opinion that this country would derive her chief supplies—Russia and America; and he was happy to say, that since the period when he had last addressed the House on this subject, he had had the most extraordinary confirmations of his opinion from those parts of Germany which were most contiguous to this country, and which now had the first chance, when corn was dear, of throwing wheat into our markets; but they expressed their fears that, by a total system of free trade in corn, Russia would in all probability have the advantage over them, while it was well known that Russia herself looked to America under such a system as entirely cutting her out of our markets. This he gave on the authority of letters received on the one side, and from communications of the highest possible authority received on the other; and seeing this, he thought it was necessary to establish what would be the probable price of wheat in this country under a perfectly free trade in corn, before he described its effects upon the farmers of this country. His noble Friend (the Marquess of Granby) had already given the receipts of two farms, and showed what he thought would be the loss to them under free trade; his noble Friend referred to farms under the three course and the six course system. He would refer to farms under the four and five course system, so that he thought between them the House would have every system of agriculture which was adopted in this country; and though from the calculations adopted by the noble Lord, he seemed to place the price of wheat lower than he was disposed to place it, yet they came both nearly to the same conclusion, which was, that supposing they totally destroyed agricultural protection, even if the rent of land was entirely given up, it would not be a compensation to the farmer for the protection which he had lost. Now, then, let them see quite clear—at any rate let the public be quite clear as to the influence of rent on the price of corn. He knew there were hon. Members who maintained that cheapness was the prime element in the question, and who argued—as an hon. Baronet had already argued—would not the poor be benefited if their bread could be materially reduced; quite forgetting, at the same time, how much wages would be lowered in that case; but let it be clearly understood how much rent enters as an ingredient into the price of a quartern loaf. The average rent of land in England is 19*s.* 11*d.* He took it at 20*s.* an acre, and would go into Lincolnshire, where the farmers farmed very high—where there were thousands of farms he knew let at 20*s.* per acre, and where each produced four four quarters of wheat to the acre. He was speaking of wheat cultivation under the four course system. He would not go into the question of barley at all. It was impossible for him to do that—he would detain the House for ever were he to refer to every item. Well, then, one quarter of wheat produced 500 lbs. of bread; and taking the quartern loaf at 7*d.*, if hon. Members referred to their arithmetic, they would find that the element of rent raised the price of the quartern loaf by the large sum of less than one halfpenny. That was his statement. He would be glad to be shown where it was wrong; he had tried many experiments in regard to it, and he believed his statements would be fully borne out. Well, so much for the rent of land, as bearing upon the quartern loaf. He hoped, at any rate, that that would now be considered to be settled, and that the public would now know from his estimate, as well as the estimate of those who had a thorough knowledge of the milling trade, that that was the precise sum by which rent raised the price of the quartern loaf. Now, let him go back to those statements, by which he had endeavoured to gain a knowledge of the probable price of wheat when imported into this country. And, first of all, he would take the prices of wheat at Odessa, in 1845, the spring prices of wheat, from February to June, of that year; and he would also give the freight on February 1829, of that year. The price of good Odessa wheat, weighing from 60 lbs. to 61 lbs. per bushel, was from 16*s.* to 17*s.* per quarter; and the freight was 7*s.* 9*d.*, making in all 24*s.* 9*d.* The next return was dated the 14th of June, in the same year, by which he found that wheat had risen to 20*s.* and 21*s.* per quarter—the freight remaining the same—so that there they had, during four or five months only, a rise in the Odessa market from 24*s.* 9*d.* to 28*s.* 9*d.* He found likewise—and he mentioned this only to show how the prices of wheat corresponded at different foreign ports—he found, that in the months of March and April the prices of wheat at Stettin and Rostock were 25*s.* and 26*s.* per quarter, the freight being from 3*s.* to 4*s.* per quarter, amounting to 30*s.* in all. This was previous to the very general

feeling that was afterwards entertained that the harvest would be deficient. The price certainly rose afterwards, and rose considerably; but it never rose above 34*s.* per quarter. He did not know whether his hon. Friend the Member for Gateshead were present, who had acted as Chairman of the Bonded Corn Committee, and with whom he had had much pleasure in acting; but that hon. Member would recollect some curious evidence that was given before the Committee. Among others, Mr. G. Freyn stated, that the price of Egyptian wheat, taking one year with another, would be 36*s.* per quarter. Mr. Philip Taylor, who explained the bonded system of France, stated in his evidence that three-fourths of all the foreign wheat imported into Marseilles came from the Black Sea, and that he had imported into Marseilles from the Black Sea wheat at the price of 26*s.* 8*d.* per quarter. Well, but now it was in his power, from different statistical returns, to give the prices of wheat at Odessa for the last ten years; and he had brought it down to the latest period he possibly could, from 1834 to 1843. The returns contained the highest and the lowest prices obtained in each of these years. He had taken a medium; he had afterwards taken the several averages of the whole of these years, and he found that the general average was 24*s.* 10*d.*, the freight being 7*s.* 9*d.*, making in all 32*s.* 7*d.* But a curious fact had come out of these statistics, which was, that the difference of price in Odessa was greater than the difference of price in England; and that the year of the highest price in Odessa was not the year of the highest price in England; and without troubling the House with details, he would state that he found that the highest price in England during these ten years was in 1839, when it was 70*s.* 8*d.*, while the year of the highest price in Odessa was in 1840, when it was 27*s.* 8*d.* But let the House look at this—let them look at what was the average price at Odessa during these ten years, and what, during the same period, was the average price in England. The average price in this country was 63*s.* 10*d.* with a fraction, while, for the same period at Odessa, it was 26*s.* $0\frac{1}{4}d.$ He would ask then, how the House could possibly suppose that cultivation would be supported when prices were to be reduced to such an extent? The next quotation of prices he would give would be those from America; and he would own at once that, on some occasions, they were high, and on others very low; but then it would be in the recollection of the House that America did not grow wheat for exportation—that they only sent their surplus wheat into this country. Then he would take a work which had been put into his hand the other day, written by the well-known Mr. Ellsworth, one of the Commissioners for Patterns, and this pamphlet he would recommend every one to read. He took up the question of freight and of price, and in every possible view of the subject he showed that America would be able to compete with Russia. But there was one of his statements so extraordinary, that he would bring it before the notice of the House; and it might be as well to state that it related to the harvest of 1842, which was remarkably good, while that of 1845 was very bad. He proposed to take wheat from the State of Illinois to New Orleans; and he calculated the price of it in American currency, which, when reduced to English prices, would give 29*s.* 2*d.* per quarter. But it was further to be recollected that there could be no doubt whatever, the greater portion of their supply from America would not come in bulk, but in the shape of flour, in barrels; so that it would be injurious not only to the agriculturist, but to the millers also. But he had more evidence on this subject, which, as it came from a practical man, he could not help alluding to. He did not observe the noble Lord the Secretary for Ireland in his place; but, at the late election for Nottinghamshire, his noble Friend had been asked to fix the price of wheat under the new system; and though his Colleagues had refused to do so in this House, yet his noble Friend, in that assemblage of farmers, and in the presence of a gentleman who had been engaged in the foreign corn trade for the last forty years, had fixed the price at 48*s.* The gentleman to whom he had alluded, Mr. Barrow, it seemed, had spoken before the noble Lord, and therefore could not reply to him; but he had published a letter upon the subject afterwards, and in that letter he had published the most sporting thing which he had ever heard come from an old corn-importer. He said—

"I will contract to deliver in London, within three years after the opening of the ports of England to foreign grain free of duty, 50,000 quarters of wheat, weighing at least 61 lb. per bushel, at 40*s.* per quarter. If that wheat should cost me, as I expect, only 32*s.* per quarter, I shall gain 20,000*l.* If wheat should still realize 48*s.*, as the noble Lord would lead you to expect, the noble Lord or his friend would gain the same amount.

My stake in this country (worth about 50,000 quarters of wheat at foreign prices) is ready to be pledged against any security of equal amount, for the fulfilment of my part of the contract."

Now, allowing that the operation of this law would have a tendency to equalize prices, he should be disposed to fix the average price of corn, under a perfectly free system of importation, at 40*s.* per quarter. Now, upon this calculation, he would show to the House what were the receipts of farms under the present system, and what the receipts would be under a perfectly free trade in corn. He would not go to low cultivated farms, he would take a farm in Nottinghamshire, near Newark, and another in the richest part of Lincolnshire, in the neighbourhood of the Fens. First of all he would take the Nottinghamshire farm, which was a farm of 400 acres, and under the four course system. The rent was 1*l.* per acre, and it was cultivated 100 acres wheat, 100 acres barley, 100 acres turnips, and 100 acres clover. But he neither took into account the turnips nor the clover, because he gave them credit for the sheep fed on them, and therefore he took into account the sales of sheep. He found, then, that 100 acres of wheat, at three quarters four bushels an acre, which sold at 52*s.* per quarter, produced 965*l.* 100 acres of barley at four quarters four bushels per acre, sold at 32*s.* per quarter, produced 670*l.* 400 hoggets and ewes bred, on the farm, sold in the wool at 36*s.* each, produced 720*l.*—in all 2,355*l.* Now, look at what the receipts would be under a system of free-trade prices; that he had endeavoured to establish, because he took it as a matter of course that barley and oats would both fall in equal proportions to wheat. Supposing, then, the produce to be the same, 100 acres of wheat at 40*s.* a quarter, would give 700*l.*; 100 acres of barley, at 25*s.* a quarter, would give 562*l.* 10*s.*; and 400 hoggets and ewes would give 560*l.*—in all 1,822*l.* 10*s.* This would be a loss to the farmer, under the free-trade system, if he was not wrong in his calculations, of 532*l.* 10*s.* Of course all depended upon their accuracy. It was only a question of calculation; but he had shown the documents on which he relied, and therefore he hoped and trusted that those hon. Gentlemen who differed from him, would show the documents on which they relied for coming to a contrary conclusion. He said, then, that under the free-trade system the receipts of the farmer would be reduced a little above one-fifth; and he found that even suppose the landlord were liberally to reduce his rent one-fourth, that is 100*l.*, still what would remain a loss to the tenant, to be divided between the profits of capital and the wages of labour, would be 532*l.* 10*s.*, or a reduction of 1*l.* 1*s.* 10*d.* per acre. So much for the Nottingham farm. He would now come to the farm in Lincolnshire, which was cultivated according to the five course system. The rent of this farm was 2*l.* per acre, and its extent was 200 acres. The course of husbandry consisted of turnips, oats, wheat, beans, and wheat. The turnips were not valued; forty acres of oats, at ten quarters per acre, at 21*s.* per acre, produced 420*l.*; forty acres of wheat, at five quarters per acre, at 52*s.* per quarter, produced 520*l.*; forty acres of beans, at six quarters per acre, at 33*s.* per quarter, produced 395*l.*; and forty acres of wheat again, at five quarters per acre, at 52*s.*, produced again 520*l.*—in all 1,855*l.* Now, what would it be under the free-trade system? Supposing the land to produce the same quantity: forty acres of oats, at 16*s.* per quarter, would give 320*l.*; forty acres of wheat, at 40*s.* per quarter, would give 400*l.*; forty acres of beans, at 28*s.* per quarter would give 336*l.*; and wheat again would give 400*l.*—in all, 1,456*l.* So that 399*l.* would be lost to the farmer under the free-trade system. But, again, deduct one-fourth of the rent, and they would find that the loss to the farmer would be 299*l.*, or 1*l.* 10*s.* per acre. Now, all he could say was, that in these calculations, based as they were upon the present prices, and on the prices contemplated under free trade, he had endeavoured to show the House on what he had endeavoured to found his calculations; and it would be for those hon. Members opposite, who professed that they perfectly understood the question, to show how, under a system of free trade, it was possible that the cultivation of the poorer soils should go on, as it was acknowledged on all hands that the lower the quality of the land and the less price that was paid in rents in England at any rate, the greater was the amount of outlay in farmer's capital and in labour. Now, he asked, if under the system of protection this cultivation had gone on—if under a system of protection cultivation had ascended from the valleys to the tops of the hills—he would ask them, whether, by this law which they were now asked to enact, it would not immediately retrograde in its course, and place the farmer in such a

situation as that he would be utterly unable to continue his cultivation. If they considered that a farmer expended 1,000*l.* upon every two hundred acres, they would find that they were playing with two hundred and fifty millions of capital; and, therefore, it was a question they ought well to consider; and, considering it, he trusted they would reject this measure, which was so inimical to the interests both of the farmers and labourers. They had been told—and he was sick of the statements made, particularly at Christmas, by gentlemen who attended farmers' meetings, and who knew nothing whatever of farming—their cry was, "Cultivate, cultivate, cultivate; farming is yet in its infancy, and by greater exertions you will reap greatly increased produce." Now, the importation of guano had been referred to by one hon. Friend of his; and that was, of itself, sufficient to show, that with the moderate prices which had existed from 1842 down to the present time, the farmers had been induced to cultivate, not only with that manure, which was very costly in price, but also with bones, and with every kind of artificial manures; so that it was plain the farmers were willing to apply their capital in every fair mode of cultivation. Now, in order to show that England reaped the benefit of this production, he held in his hand a paper which he thought would show the immense increase of production of late years; he alluded to the number of coombs of wheat sold in Norwich market for the last thirty-seven years—from 1805 to 1843. He would not trouble the House with reading the returns year by year; but he found, that in 1805 there were 50,844 coombs sold, when the price of wheat was 92*s.* per quarter; in 1810, 55,521, wheat being 100*s.*; in 1811, 61,122 coombs, the price being 82*s.*; in 1812, 54,560 coombs, the price being 120*s.*; in 1839, 174,176 coombs, the price being 64*s.*; in 1840, 207,274 coombs, the price being 63*s.*; in 1841, 201,750 coombs, the price being 60*s.*; in 1842, 235,620 coombs, the price being 52*s.*; in 1843, 241,644 coombs, the price being 48*s.*; so that the produce had nearly quintupled, while the price had been reduced one-half. Then he must remind the House, that a great deal of land had been enclosed; and he was proud to say that there had been a continually increased application of labour to the soil. He held in his hand a statement of the average price paid for labour per acre, in periods of five years, from 1785 to 1840. This return gave, from 1785 to 1790, 7*s.* 2*d.* per acre; to 1795, 8*s.* 2*d.*; to 1800, 11*s.*; to 1805, 15*s.* 6*d.*; to 1810, 19*s.* 6*d.*; to 1815, 1*l.* 2*s.* 4*d.*; to 1820, 1*l.* 3*s.* 9*d.*; to 1825, 1*l.* 1*s.*; to 1830, 1*l.* 6*s.*; to 1835, 1*l.* 3*s.* 2*d.*; to 1840, 1*l.* 6*s.* 7*d.*; so that the amount of labour, estimated by the price paid for it per acre, had nearly quadrupled. He knew these would be considered as dry details; but he wanted the question to be thoroughly understood by the country; and though at the risk of delaying the House longer than he wished, they would permit him to show the data, however erroneous they might consider them, on which he had founded his conclusions. But then they were told of the wages of labour in Dorsetshire. He was living in the west of England, and he lamented to say that wages there were too low; but at the same time, if they went to a district of the country which was purely agricultural, which had not rested upon manufacturing industry, now lost by the progress which the north had made, injuring the ancient clothing and silk districts—if they went to a purely agricultural district that never had been manufacturing, they would find that the price of labour, he would not say kept pace with the price of wheat *pari passu*, yet, more or less, the price of wheat had an effect on the price of labour. In reference to that, he held in his hand a return from a farmer of the name of Healy, who had been a farmer for fifty years in Lincolnshire, and he sent him a return of the average prices of his wheat at septennial periods, and the sum of money he paid for labour during the same periods, which gave the following results:—From 1817 to 1823, the average price of wheat was 3*l.* 8*s.* 5*d.*, the average rate of labour 13*s.* 5*d.*; from 1824 to 1830, wheat was 3*l.* 5*s.*, labour 12*s.*; from 1830 to 1837, wheat was 2*l.* 9*s.*, labour 10*s.* 3*d.*; from 1837 to 1844, wheat was 3*l.* 2*s.* 6*d.*, labour 12*s.* 8*d.*: that person showed that wages had risen and had fallen with the price of wheat to the extent of 3*s.* 2*d.* per week. That view was confirmed by an account from Norfolk, which proved that wages had been as high as 15*s.*, with wheat at a heavy price, and as low as 9*s.* when wheat was at a low figure. He had been induced to show this state of things in confirmation of what his noble Friend had stated—namely, that although in some counties the wages of labour did not follow the prices of wheat, yet in the purely agricultural counties they certainly did. He

was greatly desirous of showing the expense of cultivation in England as compared to that of other nations. This, however, he found himself unable to accomplish; but as he spoke in the earlier part of his address of the amount of taxation upon the British farmer, he would follow out his observations by showing, that a great difference existed between the farmers of this country and America, and prove that although corn might be made cheaper in England, and that the prices of other commodities might be made less, yet that the position of the farmer and the labourer was, nevertheless, not so advantageous in comparison. He would take the State of Ohio, and he would give the average rate of taxation per head. Two sorts of taxation were to be considered—the taxation of the State and the general taxation. The result appeared to be this—that the general taxation was 6*s.* 9*d.* a head, and the State taxation 5*s.* 8*d.* The taxation of this country was much higher; indeed he thought that the average amount was 1*l.* 7*s.* 9*d.* Look also at the difference in the amount of rent. The cost of some descriptions of land in America was not more than 5*s.* an acre, which, if considered in the light of thirty years' purchase, would give the annual rental not more than 2*d.* for the quantity. The rent of land in England was as high as 20*s.* per acre. Add to that the large tithes, 5*s.* per acre, and the small tithes 1*s.* 6*d.*, and the amount of other burdens, and the cost of land in this country would not be much less than 1*l.* 11*s.* per acre—a difference, really of 1*l.* 10*s.* 10*d.* between England and America. It was quite plain, therefore, that this country could not enter into competition with America. He had wearied the House, he feared, when referring to Russia on a former occasion; but he could not avoid on the present occasion to quote a slight portion of the statistics of that country. From these figures it would be seen that much cause for alarm existed. Looking at the returns from the year 1828 to 1835, of the amount of grain consumed, and then left over for the next year, after deducting the necessary amount for seed, it appeared that Russia had an immense surplus. He found the produce which remained in seven years amounted to the extraordinary quantity of 28,000,000 of quarters. [An. hon. MEMBER: In the whole of Russia?] Yes; the whole of Russia. This was given in certain Russian statistics, by a person whose name he could not pronounce, but the information might be found in *Macgregor's Tables.* The last work he had read upon the subject of the Russian Empire fully entered into the question of her prodigious powers, and as the extract was not of a lengthy character, he would read it to the House. The author of *Revelations of Russia* said—

"A prodigious extent of the territories of European Russia is wonderfully fertile. Its produce is such, that there must always be an increasing demand from abroad, and partially of a nature sufficiently various and useful to enable the country to thrive and prosper on it, if driven to consume it at home. Corn, tallow, hemp, hides, wool, and wine—her staple articles—she might easily produce in tenfold abundance, and so cheap as to undersell all the world."

Thus Russia presented herself to this country upon this question; nor could it be denied that the prospect of competition was, as respected her, of a tremendous nature. He need scarcely allude to the United States of America more particularly than he had done. Land in that country was of such extraordinary fertility, that it would continue to produce without the application of manure for a century. In the State of Virginia, corn had been raised on land which had been left without manure for one hundred years. The land was cleared or disforested, and three or four crops were taken from it successively. This would show that this country had much to fear from America. It had been attempted to be shown that this Bill would cause a large increase in the exports of this country to America, and so keep down its increase of manufactures in that land. If, however, it could be shown that this effect could not follow, then he would say, that the principle and interest of the measure stood indeed upon fallacious ground; for not only would agriculture be destroyed, but also the labourers injured to an incalculable extent in addition. On this very point, indeed, what did Mr. Elsworth say? At page 585 of his book stood this passage:—

"Had the Corn Laws been absolutely repealed in 1825, the establishment of manufactories in the United States might have been procrastinated many years; but no change in those laws can now materially change the course of production in this country, and any alteration made will not be considered as a boon to agricultural nations, but as a measure forced upon the Government by the wants of a population increasing more rapidly than agricultural productions on a limited extent of land, and in an uncertain climate."

So it would be seen at once that no chance of reciprocation existed with America. He had attempted, imperfectly he would ad-

mit, to draw the attention of the House to the condition of the landlord, the farmer, and also the labourer: and if hon. Members would only apply the same process of reasoning to this question which had been applied to the Ten Hours' Bill, the conclusion would be identical; competition must inevitably attack the profits of capital, and this must react on the wages of labour. It was stated that the difference would, on the Ten Hours' Bill, amount to ten per cent; but on this question of a free trade in corn came in the competition of a whole world with Great Britain; and no one, on this view, could arrive at any other conclusion than that the profits of farming capital would indeed be lowered, and that the labourer would be more deeply injured than any other portion of the community. The hon. Member for Oxford had on a previous occasion spoken of the injury that would accrue to the holders of tithes by the operation of the Bill, though he had as yet heard no hon. Member follow out these observations. He would say that this measure would inflict a great injury upon the clerical titheowners, if passed into a law. When the noble Lord on the other side brought forward the Tithe Commutation Act, he conferred a great benefit upon the titheowner. He did not allude to the saving of money alone, but the improved footing upon which the clergyman was placed with his congregation and tenants. Look at this tithe question for a moment. The Act passed in 1825, and the lowest price of corn for that year was 39*s*. Had the Government commuted tithes upon the prices of that year, they would have committed a great injustice to the titheowner. They were forced to take an average upon a series of years; and it had been shown by a return which had been moved for by some hon. Member, that only a very small difference of prices had ever arisen in the septennial series of years, not more, he thought, than 1*s*. per quarter. Seeing that a parish was indebted for much of its charity to the clergyman, it would be as great an injury to the locality, as well as to the titheowner himself, to reduce the averages one-fifth in amount. There was one topic more on which he desired to say a few words, though he feared he had already trespassed too far on the attention and time of the House. It appeared to him, that if all land available for the purpose had been brought into cultivation, and that all better means of cultivation having been tried—that these failing, a source of supply was still open for trial before the country was thrown defenceless to the competition of the world. In a few words, what had become of the Colonies? What reward had this country returned for the fidelity and resources of the Colonies? What were her engagements with them? In the year 1842 only had an Act been passed, which conferred a kind of free trade on Canada. He had opposed that Bill, and he had done so conscientiously. But though reasons existed against the measure to which he referred—the contiguity of Canada to the United States, for instance—these objections did not exist with respect to Australia. The Australians had loaded the Table of the House with petitions; but they were left with the agriculturists of Canada to the free competition with those nations who only rewarded us for our generosity by meeting relaxation with hostile Tariffs. He had referred a few nights since to the feeling existing in the Canadas upon the question of free trade, and he would trouble the House with a short extract of a speech made by Mr. Sherwood, the Solicitor General, for an indication of that opinion. Mr. Sherwood said—

"He did hope, however, that the commercial class would maturely weigh all the consequences which must result from the substitution of the United States' markets for those of the mother country. It would be impossible but that such a change in our commercial relations would very soon bring about a change in all our other relations. Our interests would cease to be identified with the interests of the parent state; our mental associations would assume new forms; our customs, and laws, aye, and our institutions too, would be assimilated to those of the people with whom we cultivated mercantile relations. There was a time, the hon. Gentleman said, when he believed that patriotism had no connexion with self-interest; but he had lived long enough to change his opinions on that subject, and he did think that loyalty had some relation to pecuniary considerations. If, however, by a course of Imperial policy, over which the people of Canada can exert no possible control, they are forced into a new sphere of social and political attraction, they are not the culpable party."

Such was the opinion of the Solicitor General, given, he believed, at a free-trade meeting at Montreal. It had been stated, that the United States took the manufactures of England in proportions so large above the Colonies of Great Britain that this country must foster the trade with that country. How stood the fact? He would take the two items of printed and plain calicoes. The export of plain calicoes to the United States had only increased in four years 455,928 yards, while of printed and dyed

calicoes, the export of 1845, as compared with 1841, had decreased 12,927,430 yards. The export of plain calicoes—mark this—to British America had increased, in four years, 4,655,649 yards, and of printed and dyed calicoes, 2,658,758 yards. This was the official return :—

Plain Calicoes to United States in 1841	11,957,053 yds.
Ditto to British America	7,757,332
Balance in favour of United States in 1841	4,199,721
Calicoes, printed and dyed, to United States in 1841	26,025,281
Ditto to British America	10,703,415
Balance in favour of United States	15,321,866
Plain Calicoes to United States in 1845	12,412,981
Ditto to British America	11,580,586
Balance in favour of United States only	832,395
Printed and dyed Calicoes to the United States in 1845	13,097,851
Ditto to British America	13,362,173
Balance in favour of British America	264,322

In 1845, instead of 15,321,866, against in 1841.

So, to the other advantages held by Colonies, must be added the capability of taking the manufactures of the mother country. Then take the amount of manufactures absorbed per head in different countries, and mark the importance of the North American Colonies :—Russia took 8*d.* per head; Prussia, 8½*d.*; Germany and Switzerland, 2*s.* 9*d.*; France, 1*s.* 7*d.*; Holland, 31*s.* 6*d.*; Belgium, 7*s.*; Denmark, 2*s.* 10*d.*; Sweden and Norway, 1*s.* 3*d.*; United States, 7*s.* 11*d.*; and the North American Colonies, 37*s.* 4*d.* per head. It appeared clear, therefore, that if this country bound her Colonies by the bond of true affection, that they would prove of the greatest benefit to her best interests—that of her trade. Yet it would appear, that a greater reliance was placed on foreign countries, though they met England with hostile tariffs. Russia met this country with taxation on her seaboard, and yet the Government of the land was mad enough to attach themselves to a system for the benefit of foreigners, though in doing so they ran the risk of bringing ruin upon the middle classes, and also on the labourers. Then the House had been told of compensation. Oh that that word had not been uttered in the House! He would quote the amount of compensation in the county of Essex, and from that the House could make a calculation with reference to other counties. The following were the returns :—

Medical relief in the county of Essex, years ending March, 1844, 7,871*l.* 12*s.* .....half	£3,935	16	0
Schoolmasters and mistresses. —I can find no returns. Witham Union, 55*l.* There are 17 known in the county .....would make	935	0	0
Auditor for county	350	0	0
Subsistence of prisoners, including bedding, clothing, and other expenses incidental on their imprisonment in all the prisons in the county	3,319	5	8
Expenses of prosecutions—assizes, quarter sessions, adjourned sessions, and Central Criminal Court, 4,317*l.* 10*s.* 10*d.* Half of this is now paid out of the Consolidated Fund	2,158	18	5
Total of local taxation proposed to be paid out of the general taxation of the country	£10,698	17	1

Calculation showing what relief the proposed payments would afford to the country, or on an acre of land in the county of Essex :—

1st. County rate raises 4,569*l.* 0*s.* 1½*d.*, a 2½*d.* rate would therefore raise 10,422*l.* 10*s.*, (very nearly the same as the sum above.)

Or take it another way. The number of acres in the county are computed at 980,480 ; but by the admeasurement of parishes it is more, about 1,000,000

1,000,000 hence is 4,166*l.* 13*s.* 4*d.*; 2½*d.* an acre would produce 10,416*l.* 13*s.* 4*d.*, as nearly as possible as the sum above. So the compensation proposed is about 2½*d.* per acre, and on a farm of 100 acres would amount to 1*l.* 0*s.* 10*d.*

N.B. It ought to be borne in mind that this is not all relief, it is only a shifting of taxation.

The amount of this compensation reached 2½*d.* per acre! A great deal had been said by the friends of the Government out of doors upon the subject of what reduction or changes would take place with the reduction in corn. He did not notice the worthy Alderman who represented the borough of Stoke-on-Trent, in his place ; but he held in his hand a printed paper, a "free and easy letter," which he would read to the House. It was addressed to John Ridgway, Esq., and was signed, "W. T. Copeland." This document commences—

"I have ever been a free trader, but I am opposed to a repeal of the Corn Laws unless accompanied with such a relaxation of our fiscal regulations that we may enjoy free trade in all things. This opens the door to a wide discussion. The

limits of a letter will not permit me to state a great deal. But, for example, abolish the Corn Laws; in so doing, put the poor, county, police, and highway rates on the Consolidated Fund; the whole nation to bear the expense. Do away with tne law of settlement, which would save all the law expenses, little short of a million sterling, expended in contesting the settlement of the unfortunate pauper, who, having laboured hard in a manufacturing district, and having been located for years, in his old age is sent to his parish, not knowing a soul, but to die in the parish workhouse. Reduce the import duties upon our own peculiar manufactures of earthenware, and upon printed cottons, silks, &c. Levy only an import duty, for statistical purposes, on the foregoing and following articles, tea, sugar, &c., and impose a Property Tax and a modified Income Tax; and, this done, I have little doubt but faith can be kept with the public creditor, and that the entire classes of the people, whether agriculturists or manufacturer, landed proprietor or operative, will be benefited; but a partial free trade must be conducive to ill, at least in my judgment. My remarks are crude, but I feel confident, ere long, there are parties who will put them into a proper shape, and adopt something very like them."

Now it appeared from that, that though 110 and 114 Members of that House adhered to the right hon. Baronet at the head of the Government, yet it was clear that some of the friends of the Government had wider notions of taxation to be repealed than others. Who had heard of these reductions except through this letter? But another cry existed, to which he would briefly allude. Many persons had no doubt read a pamphlet written by Messrs. Morton and Trimmer. Of its merits he would say nothing; because, founded on false data, he should not use its arguments. But to show the opinion of free traders themselves upon the change necessary to be made if protection were removed, the pamphlet was of value, and he would read a portion. Messrs. Morton and Trimmer, at page 61, say—

"With the total repeal of all duties upon corn which the agriculturists have a right to expect,"—they then say—"Let the agriculturists (rather) agitate for a total repeal of all duties on malt and hops, whether for revenue or protection, and the reduction of the duties on tobacco and sugar to one-half of their present amount; and there can be little doubt, with the aid of the great mass of consumers of all classes, they will succeed. It cannot be for a moment doubted that the removal of all protection duties, whether colonial or manufacturing, will accompany the discontinuance of protection to agriculture. This the agriculturists have a right to expect."

He had not quoted one word from *Hansard*, upon the recorded sentiments of Members of the Government upon this question of a repeal of the Corn Laws. If hon. Members had turned their backs on old and apparently long cherished opinions, he could not help that. He would not, however, quote their speeches against them. But in the absence of quoting these matters he had fallen upon the words of one who so well expressed the opinions he held, that he should take the liberty of reading them to the House. The passage he should read was published in *Hunt's Magazine*, an American publication. The article was written after the last hostile tariff in 1833. It was as follows:—

"We are in favour of the protective system, because we believe it is calculated to promote the interest of our country, and our whole country. We believe that there is no one question of national policy in which the people have so deep an interest as the one we have been considering. We are in favour of it, because it will promote the interest of the manufacturers, and save from ruin the 300,000,000 dollars of capital invested in that useful department of human industry. We are in favour of it, because we believe that it is protective of the commercial interests. We are in favour of it, because we regard it as essential to agriculture, that great and paramount interest, which is the foundation of every other. But above all, we are in favour of the protective system, because it promotes the interest of the labourers of the country. This, after all, is the interest which requires the most protection. The rich man can rely upon his money for his support. If the times are hard, his money becomes more valuable, as it will command a better interest, and furnish him more of the comforts and luxuries of life. But to the poor man, the labourer, who has no capital but his ability to toil—to such a one a prostration of business is absolute ruin. Now, as the protective policy is calculated to revive business, and give the labourer the due reward of his toil, we regard it as the poor man's system—as his rightful inheritance."

Such were the sentiments of an American; and he (Mr. Miles) believed this to be the best and truest mode of placing the system to which the pamphlet made reference upon record. Protection was indeed a system adapted to benefit the labourer; and let those who opposed the present measure never forget this. It was for the lower classes—it was for those who had only industry on their side—who had not capital to support them—it was for the labourers of England, that they took up their strong ground, and declared that they would throw what opposition they could in the way of the Bill. He had now done; and, thanking the House for the attention with which they had on all occasions listened to him, he did think that they had held up a good moral lesson to those who might succeed them, because, when deserted by their leaders, they had not flinched from the principles which they had previously maintained. They had shown no self-interest in their advocacy of this cause: they were

equally ready to protect the industry of the manufacturing labourer and that of the agricultural labourer, whose cause was now in their hands. Though calumniated, they were still undaunted; though they might perhaps be defeated in that House, they were still unshaken amidst the wreck of principle and party. It had been said that they had delayed this measure; but he thought that was no heavy charge, when so great change was under consideration; when they were deserting the policy which had been acted upon for years, and were going into new and theoretical principles; more especially as that measure was brought forward by one whose talents all admired, but who wanted that political firmness and constancy which were the attributes of every great statesman. He knew that he might be told that in this fleeting world it was difficult to carry out those higher principles; but what were the great difficulties which had caused the right hon. Baronet to turn his back upon his former friends and supporters? Ireland would no longer be thrown in their teeth—for the present distresses of that country they were willing to yield a present remedy; but, recollecting the time when sitting with the 150 men who backed the right hon. Baronet in 1844, and hearing him advocate principles which he then silently admired, and was determined to maintain, he now felt the difference of their deserted position, when the whole argument was thrown upon those who before silently supported it. But it showed also that there was a moral force in Englishmen, which spurned to be led into a course of political tergiversation. Whatever might be the result of their struggle in that House, he thanked God that there was another ordeal through which this measure must pass—a tribunal, he believed, unawed by popular feeling, and unswayed, as yet, by the principles of political economy—which would thoroughly sift the policy on which this measure was founded; and that other assembly would pause, he thought, before it sanctioned the measure, and at any rate would interfere between the people and that Minister who now held office at the will of his former opponents.

SIR JAMES GRAHAM: The House, Sir, is evidently weary of this protracted debate; so also I believe is the public, and an opportunity of finally—as far as we are concerned—deciding this most important question, which now for nearly three months has been pending here under discussion is generally and anxiously desired; and having already on several previous occasions addressed you on this subject, I am most unwilling needlessly to trespass upon your time and attention. But still more unwilling should I be to appear wanting in respect to the noble Lord and the hon. Members who, in the course of the present evening, have addressed you on the Motion now before the House, and I fear this might be the case did I leave unnoticed many of the statements which they made in speeches of remarkable ability. Sir, my hon. Friend who has just sat down—the hon. Member for Somerset—has declared that firmness and consistency are great qualities on the part of a Minister; and though he has studiously avoided the use of those strong terms of vituperation in which other hon. Members have not hesitated to indulge, he nevertheless took occasion to censure Her Majesty's Ministers for their tergiversation, as he styles it, upon this most important subject. Now, I will give my hon. Friend the benefit of the admission, that in discussions which took place formerly in this House, there was no one who more warmly advocated the measures for which he contends than did I myself. I will also say, that I am quite as deeply sensible as he can be of the value and advantages of the qualities to which he has alluded; but being charged with responsibility as a servant of the Crown, at a time of public difficulty, and, as I verily believe, of public danger, I was not reluctant to profit by an enlarged experience; nor did I hesitate to give effect to the opinion which I deliberately and maturely formed, upon the great question which now awaits our decision. The hon. Member for Somerset has expressed his belief that the measure which has been introduced by Her Majesty's Ministers, whatever may be its issue in this House, will not pass into law, on account of the opposition it is likely to encounter in another place. Sir, I will not venture to indulge in any predictions or in any prophecies as to what may occur elsewhere; but I may be permitted to express my individual views, and to state that my anticipations are very different indeed from those of the hon. Gentleman. It is my conviction, as the result of the discussions which have taken place in Parliament and out of Parliament, that this question is now virtually settled; and I have a very strong opinion that the measure under consideration will in a very short time become

the law of the land. Indulging in this anticipation, and having as deeply at heart as any man can possibly have the welfare of the agricultural classes and of the landed interests, I find it impossible to concur with the noble Lord the Member for Lynn in the opinion that either the farmer or the landlord will derive the smallest benefit from protracted discussions on this important question; and if I were called on to say whom the delay which has taken place has most injuriously affected, I should declare that none have suffered by it so much as the farmers and the agricultural classes generally. Remember, there is at the present moment in bond in this country an accumulated stock of foreign wheat amounting to fifteen hundred thousand quarters. That accumulation has been gradual and progressive. My belief is, that when we assembled in January, the quantity which was then accumulated might have been brought into the market with signal advantage to the consumer, and without the least detriment to the home growers. Four months have since elapsed. The accumulation has, of course, become very much greater in that period. The quantity now on hand is very large indeed. It should be borne in mind too that we have already arrived at that period of the year when a new harvest, though not immediately at hand, cannot be said to be very distant: now, if my anticipation should prove correct, and, notwithstanding all this protracted opposition, the present measure should become law, the inevitable effect of your long delay will be a large and—as in time past under the operation of a law which I condemn, and the worst feature in which was the probability it created of such a contingency—a sudden influx on the market of an accumulation long increasing. That influx will be sudden and large; and though I do not apprehend that on the present occasion the operation of that influx will be so injurious to the producer as on former occasions, yet the danger of an influx, and the uneasiness arising from the fear of a possible, though perhaps not a probable, evil, must be all set down as the inevitable consequence of this protracted debate. Before I proceed to touch on other topics having reference to this question, I should wish to notice a few of the points adverted to by the hon. Member for Somerset. That hon. Gentleman declared that the present Corn Law was valuable, and of great advantage as a financial measure. I differ from him entirely, and have ever done so. I admit that I may be fairly charged with inconsistency upon this question of the Corn Laws, in its general bearing; but with reference to my opinion of its operation in a purely financial point of view, I have not changed in the least. I have invariably announced it as my opinion that, regarded as a fiscal measure, the existing Corn Law is not defensible; and I am of the same opinion still. The hon. Member alleges that the producers are satisfied with the existing Corn Law. He has given us, however, no evidence in confirmation of this assertion. I do not think that the farmers have any reason to be particularly well satisfied with the working of the system; but even though the fact were otherwise, it should be remembered that this is not a measure for the benefit of the producer. I mean it is not a measure for the producer alone. The great body of consumers—the millions—are deeply interested in this matter; and surely it is evident that their welfare ought to be the primary consideration. The hon. Member for Somerset takes credit to himself and his party for having, under present circumstances of great difficulty, maintained their old opinions with great stedfastness and manly purpose. Sir, I admit that on the present occasion they have fought their fight manfully: but I must be excused if I hesitate to accord them all the praise the hon. Member would claim for them. I remember what occurred in this House upon this question during the last three or four Sessions. The strain against this measure was very strong; but until the present Session the cause which they now advocate with such unexampled zealousness, though it had the benefit of their votes, had not, unless in very rare cases indeed, the advantage of their eloquence. I will be perfectly frank with the hon. Member. It has been my fortune to argue this question for many years. Yes, and I may boast that I fearlessly at all times declared my sentiments and detailed the results of my experience; but I can with truth aver that, owing to the force of public opinion, I have seen, from time to time, arguments which were urged successfully in favour of protection, some years ago, gradually abandoned one by one as no longer tenable—yes, and surrendered by the very Members who were most zealous in using them. When a debate in former times occurred on this question, arguments used to be urged with reference to landed proprietors exclu-

sively, and their interests in relation to their private fortunes and their political position, which are now by universal assent abandoned—arguments which no hon. Gentleman would venture to urge upon this House now; nay, more, which I do verily believe not even the most enthusiastic amongst the protectionist party, knowing that the public observation is centred upon them, would venture to propound even at the meetings in Old Bond-street. Sir, I am glad that the issue of this question is now narrowed to a point. It cannot be put more clearly, or more explicitly, than it was put on Friday evening last, by the hon. Member for Shrewsbury. He said with great truth, that the question which awaits our decision is in reality this, whether the contemplated measure is for the interest of the multitude—for the advantage of the people at large. The hon. Member for Shrewsbury used these words:—

"If the measures of the Government have not a tendency to occasion a great displacement of labour, a displacement of that kind of labour which is of the most permanent character—if they have not by that displacement a tendency to occasion great social suffering, and ultimately great political disaster, then, I say, they are good measures; and I for one am not prepared to oppose them."

Nothing can be more just or true than this statement of his case. The question is, indeed, narrowed to this point. What we are to consider, therefore, is not whether the interests of the landlords are maintained by this protection—the question for deliberation, and which awaits our decision, is this—are laws restricting the importation of corn into this country conducive to the happiness, comfort, and welfare of the tillers of the soil—of the multitude? That is the whole question—that is the issue we are to decide on. The hon. Member for Somerset commented on a pamphlet of Messrs. Morton and Trimmer, and made this remark, that the data on which their statements are made not being admitted, the arguments resting on these data were utterly worthless. Now, I beg leave to take advantage of this doctrine in common with the hon. Member. He has gone through a great variety of details concerning farms in Nottingham and Lincolnshire, with a view to justify the inferences he is anxious to draw from data; but I deny his data altogether. He assumes that under the present protective system a steady price of 52*s.* for corn may be reckoned on; but he forgets that under a more restrictive system than the present, it fell in one year to 39*s.* Again, he assumes that with free trade 40*s.* will be the price. On what grounds he ventures to make this assumption, I am sure I am at a loss to conjecture; but, in the absence of all good grounds for his assumption, I must be allowed to apply to his own inferences the doctrines which he applied to those of Messrs. Morton and Trimmer; and not admitting his data, I repudiate his arguments. The hon. Member indulged in prophecy as to the fate of the Bill, and denounced it on arguments which cannot be admitted. But his predictions, and the result of his reasonings, were not half so fanciful as some of the information which he has recently collected and detailed to the House. He says that in Russia there is every year an accumulation of corn over and above the wants of the people, and available for the purposes of exportation, of 28,000,000 of quarters. Can a more forcible argument be urged in favour of this measure, that year by year there is produced in Russia, over and above the consumption—my hon. Friend was most specific—he said not only beyond consumption, but beyond what was required for seed and consumption, nearly 28,000,000 of quarters available for exportation? That was sufficiently alarming for my hon. Friend; but what was his description of the quantity of land in America? He says that he has read somewhere an account from Virginia where some land was cultivated, year after year, for wheat, without manure, and continued to grow wheat annually for a century. Land, he said, was there cultivated for a century, year after year, for wheat without manure. If those statements be true, if Russia have 28,000,000 quarters of grain ready at all times for exportation, and if in America they grow wheat for a century without manure, every attempt to protect this country by Corn Laws must be worse than useless. No duties that can be imposed would be sufficient to protect our farmers, unless we were to cut off all communication with those countries. Then, Sir, the hon. Member referred to the question of tithe; and he stated that my hon. Friend the Member for the University of Oxford, in his absence, had previously touched upon this particular subject. It is true my hon. Friend did; and, as I had the honour of following my hon. Friend, I endeavoured to reply to him. I gave on that point an answer that certainly, to my judgment, is conclusive; and I really am unwilling again to repeat

my arguments, though they are short, to the House. So far from thinking that the present change in the law will be injurious to the titheowner, my opinion is, that if there be any injustice done by it, the party to whom it will be injurious is the tithe-payer. The number of quarters of grain payable for tithes was fixed at the time of the commutation, and therefore the apprehension entertained by my hon. Friend and the hon. Members around him, that the tithe owner will be injured by the land being thrown out of cultivation, is unfounded; for the titheowner, by the Commutation Act, is guarded against that risk. He is only exposed to danger from the variation in the price. Before the Commutation Act, when the titheowner had his right to draw the tithe in kind, he was then liable to be affected by any variation in the quantity; but now, except there is a variation in the price, his position is permanently secured. He is necessarily bound to submit to any alteration arising from a variation in the price; and so he was formerly, when he drew his tithe in kind; but by this antecedent law he is secured from any alteration arising from a diminution of the quantity, which is the great risk to be incurred. So far, therefore, as relates to the titheowner, it will do him no injustice whatever: it appears to be perfectly clear that he is not exposed by our proposition to the slightest risk. Now, with regard to the Colonies. With reference to what my hon. Friend has stated with respect to Canada, I think that my hon. Friend was an opponent of the proposition of the Government, which placed Canada on the same footing as an integral part of the United Kingdom in respect to importation. If I mistake not also, when my hon. Friend the Member for Gateshead (Mr. Hutt) brought forward his Motion last year, that the Colonies generally should be admitted to equal importation with this country, my hon. Friend was found among the opponents of that measure; and I must frankly say, that looking back to the past with reference to all the discussions that took place with respect to the Corn Laws, if I were to mention the discussion in which the necessity for their abolition was sustained by argument more signally triumphant than another, I should refer to that very occasion when my hon. Friend resisted the proposition of the hon. Member for Gateshead. Although I voted with my hon. Friend, his arguments did not appear to me to predominate. There is another topic to which my hon. Friend has referred—he has alluded to the insignificant sum that was offered as compensation to the landed interest on the part of the Government. Now, Sir, I absolutely disclaim, on the part of the Government, that the term "compensation" was ever used. I say, if it be necessary for the public good that this measure shall be carried, it is unworthy—it would be disgraceful, on the part of the Government to propose—it would be still more disgraceful on the part of the landowners to accept—compensation for an act of justice due to the entire people. All that ever was said was this—that, incident to the passing of this measure, other measures would be proposed by Government, which in their judgment would be conducive to the agricultural interest, and consistent with his public good, and which at the same time would alleviate the pressure of the burdens on land. I would now beg leave very shortly to advert to another portion of this extensive subject, I allude to what has been said by various Members with reference to what they call the case of Ireland. The noble Lord the Member for Lynn, on a former evening, stated that Her Majesty's Government had acted with bad faith—that they gave no information that sustained their own assertions and views—and that they kept back other official information of an opposite character; and the noble Lord stated that the Commander of the Forces in Ireland had given information on the subject at variance with the information we produced. He stated that the Poor Law Commissioners had also given information different from that which we produced; and I think he said also the prison inspectors—I have made every inquiry in the proper quarter. With respect to the information alleged to have come from the Commander of the Forces, I have seen no information from him of the character described by the noble Lord. I applied in the proper quarter at the Horse Guards, if any such information was received from Sir Edward Blakeney, and I am in a condition to give the most positive contradiction to that assertion of the noble Lord. Now, with respect to the Poor Law Commissioners. In the month of November I thought it right to advise Her Majesty to appoint a Poor Law Commissioner—a superior officer specially delegated to preside over the administration of the Poor Law in Ireland. That appointment took

place in the month of November; and since the month of November I have been in constant communication with that superior officer. He is a member of the Scarcity Commission, from which weekly returns are made to the Lord Lieutenant. He signs each of those weekly returns, and I have laid on the Table of this House four of his Reports. These reports bring the information up to the latest period, with the exception of two reports since received, which I am ready to produce, and they sustain in the strongest manner the assertions made by Her Majesty's Ministers with reference to the danger and extent of the scarcity in Ireland. It is possible that the noble Lord may have referred to Mr. Gulson's mission to Ireland. Now, Mr. Gulson was never delegated to make an inquiry on this subject. He left Ireland in the month of November—he visited various workhouses in different parts of Ireland in the months of October and September—he made no visit later than about the beginning of November, and at that time the Commission for inquiring into the disease in the potatoes was not complete. He was ordered to investigate another matter. Any information he received on the subject of the potato disease was not official information; he never has officially communicated on the subject; and he himself left Ireland in November, having visited those workhouses in the months of September and October. With regard to the prison inspectors, I never received any communication with reference to any inquiry they have made; and I am quite ignorant of the information to which the noble Lord referred. I have caused inquiries to be made on the subject, and when I receive an answer to those inquiries, I shall not fail to mention it to the noble Lord and to the House. The noble Lord has said that we represented to the House that the scarcity was universal in Ireland. Now I appeal to the House, and I ask them if that be a correct statement of the information we have given them? I never said that the distress in Ireland was universal; I said it was wide-spread. I said it is scattered throughout various localities, in almost every county in Ireland, and that the difficulty of dealing with it mainly arises from its being so scattered through an infinite number of small districts, and from the intensity of the distress where it prevails. To that statement, Sir, I adhere in the most decided manner. I know not whether the hon. Member for Armagh (Col. Verner) is in his place. I have here a letter signed by the hon. Member himself, dated not very long ago, in which he depicts the distress in his immediate neighbourhood in the most glowing terms. It is an application to Government for pecuniary assistance, to which he has signed his name. It is a letter which certainly does describe the distress in Ireland as of a character deserving the intervention of Government and the aid of Parliament in the shape of a pecuniary grant. This letter is addressed to the Lord Lieutenant of Ireland, and states that the undersigned, being deeply sensible of the calamity with which Ireland is threatened, by the failure of the potato crop, and considering that in such an emergency it is the duty of every man to do his utmost to avert the frightful evils that might be expected, recommended the outlay of a sum of money in draining Lough Neagh; and the last paragraph is in these terms:—

> "That a grant of 38,000*l.* by the Government would be met by 118,000*l.*, raised by the proprietors of the neighbourhood, and others, and that the result would be a mighty improvement to the north of Ireland, and to the health of the district; and that it would afford an opportunity"—let the House mark this—"of employing the labouring population, whose condition it would be frightful to contemplate unless industrial measures of this kind were applied."

This memorial bears the signatures of the Lord Primate, Dr. Crolly, Lord Charleville, Lord Acheson, and, among other names, that of William Verner, M.P. But, Sir, although the Irish case is a case of decided pressure, the extent of which, from day to day, is more apparent, and forces itself more and more painfully upon our attention, yet I am bound to say that I have never rested my support of this measure upon the Irish case. I have stated that which I am ready to repeat, that the urgency of that case did precipitate the necessity for the reconsideration of the law that regulates the importation of grain; but I frankly avow that from the moment that reconsideration became necessary, views of general policy — views bearing on the general condition of the people of this country, did convince me that the repeal of the existing restrictions had become indispensably necessary. I wish not unnecessarily to trespass upon your attention by repeating the arguments that have brought me to that conclusion. But I wish to refer to something which was said, I think, by the hon. Member for Shrewsbury on a former even-

ing, with reference to the injurious effects which he anticipated from the export of the precious metals, consequent upon a constant and large importation from abroad. Now, Sir, amongst the reasons that lead us to think this change of our policy necessary, is a view the converse of that taken by the hon. Member for Shrewsbury. I agree with him that, considering the present state of our monetary system, a large exportation of the precious metals is inconsistent with the well-being of trade and the interests of the community; but my own belief is that if our ports be open for the steady and uniform importation of grain from abroad, so far from those exports of the precious metals taking place, except in seasons of unexampled or rare scarcity, so far from its taking place in ordinary years, as under the existing law, it will be prevented by the measure we now propose. The corn taken by this country will, when the trade has become an established trade, be mainly paid for by barter; and the result, I think, will be that trade will be extended, and that the injury which the export of the precious metals, to meet distress suddenly arising from failure of the home production, causes, will be prevented. I shall now, with the permission of the House, state shortly my opinion as to the effects to be apprehended on our foreign trade from this measure. But I cannot separate the question of the home trade from the foreign trade. My opinion is, that the foreign trade and the home trade, in a series of years, will be found to be indissolubly connected. Now the foreign trade can only be maintained by our having the power of consuming the articles taken in exchange for our exports; but a high price of provisions disables the consumer from taking those articles. He cannot go into the home market, consequently the home market is paralysed; and what is the result of that? A stimulus is given for the forced exportation of goods for the foreign market; the foreign market in consequence becomes glutted, the exporter is injured, and the result is, again, diminished power of consumption at home; and thus it is proved, both by reason and by experience, that the foreign trade cannot be injured without the home trade suffering also. Then as to procuring wheat in the foreign market, I conceive wheat is more universally consumed in this country than in any other country in the world; and whatever the price or scarcity is, it is found that the quantity consumed varies less with the price than that of any other article that is consumed in this country. All those who are in easy circumstances, whatever is the price, always consume the same quantity of wheat; and the labouring poor are so much attached to wheat, that they will forego almost all other articles approaching to articles of first necessity, rather than go without wheaten bread. If the quantity of the article purchased be the same after the price is raised, the surplus of money which would be available for the purchase of other articles is exhausted in exactly the same ratio as the price has increased. Suppose when wheat is raised wages remain the same, while the consumption of the wheat is not varied: the surplus that would remain for the purchase of other articles is affected exactly in the ratio of the rise in the price of wheat. A labourer purchases wheaten bread when it is dear nearly to the amount of his entire wages, and he is then prevented from consuming any other article. The effect on the home market is instantaneous: that affects our foreign trade, by stimulating export of goods, and the disarrangement of our whole system of commerce is the effect of this increase in the price of corn. This brings me to the point which, after all, is the point of primary importance, namely, what is the effect of the present state of the law on the condition and happiness of the nation. Now, Sir, it is said, that although the manufacturing labourer may gain by a prosperous trade and a low price of provisions, that this is not equally applicable to the agricultural labourer. And this is the pith of the whole argument. I admit the great number of the agricultural labourers—I admit the importance—I will not say the paramount, but I will say the great importance—of this class of society; and if you can show, as heretofore I thought you could show, that this portion of the community would be injured by an alteration of the Corn Laws, then the argument against a change would be strong, if not conclusive. But having given the matter mature consideration—it is true the noble Lord the Member for Lynn says I am lapsing into a sexagenerian imbecility—but having given the matter my best consideration, I am bound to state it is not true that the agricultural labourer's condition, with reference to the high price of provisions, is different from that of the manufacturing labourer; their interest is identical, and both the manufacturing la-

bourer and agricultural labourer suffer severely from the high price of provisions. I do not know if my hon. relative the Member for Shaftesbury is in the House. I know the condition of the Dorsetshire labourers has received his attention; his kind and warm heart has been touched by their position; and, knowing this, I am surprised at the conclusion at which he has arrived with respect to the Bill. What does he state? He says that under no circumstances do the labourers of Dorsetshire receive more than 7*s.* or 7*s.* 6*d.* a week; and I understood the hon. Member for Dorsetshire, who followed the hon. Member for Shaftesbury, to go further than the hon. Member for Shaftesbury, and to admit that there was a weekly deduction from the wages of one or two shillings for house-rent, making the net wages something between 5*s.* and 5*s.* 6*d.* weekly. My hon. relative stated that in his opinion this rate of wages does not vary with the price of provisions, and if provisions rise in price, the wages do not also rise, so that their condition is hopeless. Now, Sir, I say it is anything but hopeless. Try this experiment—if you cannot raise the rate of wages, you can perhaps reduce the price of wheat. Other interests, I admit, may suffer—possibly the farmer may suffer—possibly the landlord may suffer; but I defy you to demonstrate to me that the condition of the Dorsetshire labourer will be deteriorated by lowering the price of corn. I understood my hon. Friend to say that not only was this their condition at present, but that it had been so for a long period, and that for at least thirty years they had been in this condition. Now we are not debating Magna Charta, or any great principle of the British Constitution, but we are discussing a law which happens to be about coincident with this deterioration in the condition of the Dorsetshire labourers, and which is about thirty years old. And when my hon. relative despairs of procuring any rise of wages in Dorsetshire, let him try the experiment of lowering the price of food. I was about to state that I think that it is quite clear that the effect which would be produced on the manufacturing workmen and the agricultural labourers by a fall in the price of food must be the same. The noble Marquess (the Marquess of Granby) brought under the view of the House the situation of the agricultural labourers in the reign of Elizabeth; but we must look at things as they now exist, and Parliament must deal with them accordingly. This can no longer be regarded as only an agricultural country. I repeat it: if you attempt to legislate for England as purely an agricultural country you will fail; for this country—be it for weal or woe—is also a great manufacturing country, and you must legislate now with regard to its manufacturing and commercial interests. Therefore you must look to the connexion of manufactures and commerce with agriculture and land, and see how their interests are blended. You cannot have great manufacturing or commercial prosperity without creating a great demand for labour in the neighbouring agricultural districts. At the present time, for instance, you have the Birkenhead docks in progress; you have railways, and other great public works carried on in different places; your manufacturers call for an increased supply of labour; a demand arises in the agricultural districts, and a great number of labourers are attracted from the most remote and rural parts of the country, to those great marts of industry. The effect, then, in the rural districts is, that when manufactures are flourishing, wages rise in all parts, from an extra demand for labour. Now, what is the condition of the labouring classes? Let us be sincere on this point. I appeal with confidence to the reason, and judgment, and candour of hon. Gentlemen below the gangway, and if I establish the fact that even in the agricultural districts the rise of wages is coincident with cheapness of food, and if you wish to legislate for the welfare of the labouring classes, the case can be so easily established, and made so clear, that you cannot resist passing of this Bill. Wages do depend upon demand and supply, and when a demand for labour operates among the agricultural classes, and raises wages, provisions being plentiful, they obtain the three greatest advantages which a working man can simultaneously enjoy —full employment, high wages, and a low price of provisions. Oscillation again comes; production has been unnaturally stimulated; with a diminished quantity of food the price is enhanced, the ports are closed, the home market is destroyed, the foreign trade is injured, the exportation of the precious metals caused by the sudden demand for corn operates upon prices, and wages fall. What is then the condition of the labouring man, whether engaged in manufactures or agriculture? In the first instance, he enjoys three of the greatest boons that can be conferred

on him—full employment, high wages, and a low price of provisions. Now look to the reaction; there is deficient employment, low wages, and a high and artificial price of provisions. I do not wish unnecessarily to prolong this argument; but it has convinced my own mind, and I am satisfied that this effect of low prices and plenty of food in the manufacturing and the agricultural population is invariable, and certain to lead to their comfort and their happiness. The hon. Member for Shrewsbury put the whole case on the effect which the repeal of these laws will have on the labouring classes. Now I am willing to take the issue on this. I have therefore thought it necessary to show, at length, that for the well-being of the labonring classes, no other course is likely to be so beneficial as to pass this Bill. No sophistry or ingenuity of argument will satisfy the people of this country that they ought to consent to the continuance of a state of things by which the price of food must be raised, and the wages of labour must be reduced. No cajolery will satisfy the people of this country that this kind of legislation is calculated to promote the general interests, however good the intentions and anxious the wishes for the well-being of the labourers of those who urge us to continue the protecting laws. Now, let me shortly glance at the next portion of the subject. Is it the interest of the working farmer that this law should be continued? In the Committee on Agriculture, over which you, Sir, presided in 1836, many witnesses gave evidence on this point. I should be unwilling to detain the House at any length, by referring to much of the testimony then given; but I will merely call the attention of the House to the evidence of two tenant farmers as regards the influence of the corn laws on their interests, and they spoke clearly and distinctly on the subject. The witness to whose testimony I shall first call the attention of the House, is that of Mr. Ellis, a large tenant farmer in the neighbourhood of Leicester. The first question put was by my right hon. Friend now Paymaster of the Forces (Mr. B. Baring):—

"It is for the advantage of the farmer to raise prices, is it not?—I do not think so; I am not of that opinion. I do not think it is to the advantage of the farmer to have very high prices.

"What do you consider most advantageous to the farmer?—A steady price; that the farmer when he goes to take land should look to some steady price, and not look to adventitious circumstances to keep him out of a difficulty.

"Do you think the present scale (that was the law of 1828) has had the effect of creating greater fluctuations of price than there would have been under a more reduced scale?—That is a question that I cannot answer, not having been in the corn trade; but I am certain that the Corn Laws have raised delusive hopes in the farmers."

Then the hon. Member for the Tower Hamlets (Sir W. Clay) asked—

"You are decidedly of opinion that steadiness of price is the circumstance most important to the farmer?—My opinion is not in accordance with that of most people with respect to the interest of landlord and tenant. Up to a certain point I hold that they go together; that it is the interest of the tenant to keep the land in good condition, as it is of the landlord that he should do so; but his landlord's interest is to have a high price to enable him to pay a high rent. I do not think it is the tenant's interest to be clamorous about a high price; it makes very little difference to me whether I pay a high or a low price; and I think the country thrives better all round me, if the price is a moderate one; it is better for me not to have a high price, provided my expenses are in proportion.

"The farmer is a capitalist, and it is of importance to him to be able to calculate the returns upon his capital?—Just so.

"He would do that better, and feel more certainty, if he were sure of a steady price of wheat?—Yes, he would.

"Suppose that the present system, or any system of Corn Laws, tends to produce fluctuations in the price of wheat, that must be ruinous in its consequences to the farmer?—There is no doubt of it."

Then the witness was asked by the hon. Member for Somerset (Mr. Miles)—

"Do you think you could do without protection altogether?—Not in the present state of things. I think we must come to that ultimately; but we must go by easy steps."

These questions were put in 1836; and recollect that in 1842 the protection was reduced one half, and under the present measure there is to be a less duty, which is to endure for three years, and so we shall arrive, by easy steps, at what this tenant-farmer, in 1836, forewarned you was inevitable, and which he considered desirable. Again, he was asked—

"But you think that the poorer class of farmers at present look at 60*s.* as the price at which wheat can be maintained?—Yes.

"Is it your opinion that, upon the average of years, prices can attain to that height?—It is my opinion that they cannot, and that they will not attain 50*s.* with fine seasons.

"And the consequence is, that the poorer farmers have fallacious hopes raised?—Yes."

This was the testimony of an English farmer. I now come to that of a farmer of the Lothians, who I believe is not now living. I had the pleasure of his acquaintance; and I know that he was one of the most successful agriculturists in that dis-

trict, where so many improvements have been made in agriculture. I allude to Mr. Howden, who was asked by the hon. Member for the North Riding of Yorkshire (Mr. Cayley), whom I see opposite—"If you had been sold off in 1820, do you think you would have been better off than you are now?" Now, observe the answer which Mr. Howden gives, after twenty years of protection. He replied—

"I do not know that mine is a fair case to be taken as a general case, because I started very poor in life, and I have had a hard struggle, and other circumstances that contributed to depress me. I am the only remaining farmer in the parish where I was brought up. Except myself, there is not a farmer, nor the son of a farmer, remaining within the parish but myself."

This was brought out still more clearly by the next question put by the hon. Member for the North Riding of Yorkshire:—

"What is the reason of their having all gone away?" Mr. Howden replied—"The money rents that were exacted of them; they all conceived that they were to have 80*s*. a quarter, and their calculations were made upon that: it soon appeared that that could not be realized, and they were not contented, and ruin has been the consequence.

"Then there has been a great change of tenantry in your neighbourhood?—There has been.

"And that has been caused by the fall of prices?—Yes, and the want of accommodation on the part of the proprietors.

"The proprietors have not reduced their rent in proportion?—They now have generally done so; but they were loth in doing it when the circumstances required, and therefore the tenantry fell."

Thus it appears that it was calculated, on the part of both tenant and landlord, that the price of 80*s*. would be uniformly realized; and that by the first Corn Bill that price would be guaranteed to them. The landlords took tenants on this presumption; and they were disappointed in the result. The landlords thought, under the operation of that Bill they were justified in thinking, *in communibus annis*, this price would be realized. I know that the landlords in that part of the country are generous and highminded men. I have known them from my youth; and I am convinced they would not take an unfair advantage; but they postponed reducing their rents too long. Mr. Howden was next asked—

"In your opinion, did the Corn Law that was made in 1815, deceive both the landlord and the tenant?—It did. I believe that the calculation upon which they took at that time was almost universally 4*l*. a quarter.

"The general impression was, that the Corn Laws then made would have the effect of keeping wheat at the price of 80*s*., and both landlord and tenant were deceived in that?—Yes.

"If the Corn Law had not the effect of keeping up the price, something must have reduced the price?—It did reduce; but as to the cause, I shall not pretend to say.

"The Corn Law, having promised a price of 80*s*., failed to perform it?—Yes."

Such is the state of the tenant-farmer. I have also shown you what is the effect of these laws on the labourers, and also what is the effect on the tenant in regard to his relations with his landlord, and that whatever amount of protection was promised on any given price of produce guaranteed, the result has been failure and disappointment. This was the inevitable result in every instance. What Mr. Howden described as the case of the tenants in his district was that of 10,000 others; and this arose not from any want of generosity on the part of the landlord, but from the defect of the law; and I believe that it is as much for the interest of the tenants and the landlords, as for that of the consumer, that there should be steadiness in the price of corn, which would be obtained by the removal of restrictions. I will now take a short glance at the situation of the landlords. But before I do so I must observe—and I hope that I may say it without offence—that it is too much for hon. Gentlemen below the gangway to assume that they only are the landlords of the country, and that they alone represent the landed interest. I confess that I know not where to find a very prosperous landed property in which great improvents have been made in the cultivation, and where the rental has been greatly increased, where the happy result may not be traced, either immediately or indirectly, to its connection with commerce and trade. This also I believe to be the opinion of a large body of the most influential Members of that class. Now let me try this question in connection with our manufacturing districts. I will take the county of Lancaster, the seat of the cotton manufactures. Who are the great landed proprietors in that great district? The Earl of Derby may be considered as one of the greatest. What is the opinion of the Earl of Derby on this subject? Is he hostile to the repeal of the Corn Laws? But I may be told that that nobleman's property is in immediate approximation to the manufacturing districts; I will therefore refer to the instance of the Earl of Burlington, whose property is purely agricultural. The Earl of Derby and the Earl of Burlington are not bad instances, and they both are adverse to protection. Again, I will take the case of Lord Francis Egerton, whose property is connect-

ed with commerce and agriculture; and the inevitable effect of experience has made him a strenuous advocate for a change in these laws. What is the case in the West Riding of Yorkshire? What is the opinion of one of the largest landed proprietors there—Earl Fitzwilliam? Is he opposed to a repeal of the Corn Laws? Take Scotland: go to the chief seat of the cotton manufactures there. The county most engaged in manufactures is that of Lanark. What is the opinion of the Duke of Hamilton, the chief landed proprietor there? You may treat this argument with contempt if you please; but it is impossible for you to say that you represent exclusively the agriculture of this country. This is an assumption which the facts will not bear out. The hon. Member for Somersetshire mentioned an extraordinary fact, that the average price of wheat in 1805 was 92*s.*, and that it was now 50*s.*, and that the produce of the country had at the same time increased to supply equal to the wants of a largely increased population. Now, it is a curious fact that, coincident with the commercial and manufacturing prosperity of that period, the rent of the land has risen, and not the rent of the land only, but the fee-simple of the land has increased in value, while, as the hon. Member has shown, the produce of the soil itself has increased. If you pass this measure, no great fall of price may take place below that which we have known for the last three years; but I am satisfied that the great body of the people will obtain this inestimable advantage—that they will have an ample and perfect security against a sudden rise of price to any great height. Now I may take shame to myself, but I am bound to say that, although late, I have arrived at this conclusion after a more careful consideration of this matter, combined with experience; and I say that the real truth of the whole argument, as it appears to me, is summed up in a masterly manner by Lord Grenville, in 1815, and I believe that what he says is undeniable. I cannot persuade myself that the laws which regulate the importation of corn tend to produce plenty, cheapness, or steadiness of price. As far as they operate at all, my belief is, that when carefully examined in practice and tested by experience, they produce the very opposite effects. Lord Grenville lays down the general principle which is the converse of this. Lord Grenville said that monopoly is the parent of dearness, scarcity, and uncertainty. I believe that the proposition is true. I believe that it is impossible to cut off sources of supply, and increase abundance. You cannot cut off a supply from these markets where you can get an article at the cheapest rate, without enhancing the price. To say that the people shall not obtain articles of first necessity unless they are the produce of their own soil, would be, in the words of Lord Grenville, to deprive them of the advantages to be derived from those great arrangements of Providence which could secure them against the failure of crops or varieties of seasons. I am, therefore, most anxious that this measure which we are now discussing should pass unmutilated and entire; and I have a strong conviction that, if it becomes the law of the land, it will have the effect of protecting the labourer against the high price of articles of the first necessity for his subsistence, whilst it will give security to the farmer in his speculations and his profits; and, more than all, I believe that this measure will be the only means of reconciling the prosperity of the landlords with the interests of the community at large. I believe that it will extend our commerce, that it will increase the prosperity of our manufactures, and place our foreign relations on the surest and most stable foundations of amity. It is my conscientious belief that it will be memorable in our history. [*Cheers.*] Yes, memorable in our history, as securing the prosperity, the peace, the contentment, and the happiness of the great body of the people, without injury to the exclusive interests of any particular class.

MR. CAYLEY, in reply (to Sir James Graham) contended that when Lord Grenville said that monopoly was the parent of scarcity, he did not apply the remark to the present Corn Laws. Lord Grenville's observations applied to the Corn Bill of 1815, which prohibited the importation of wheat until the price rose to 80*s.* the quarter. The present Corn Law was protective, not prohibitory; it protected the farmer, and thus protected the labourer, who was employed by the farmer; and protected the consumer by securing the cultivation of the land. With regard to the remark which the right hon. Baronet made respecting the hon. Members who sat below the gangway, he must say that he thought it ungenerous. These Gentlemen did not assume to themselves the exclusive representation of the landed interest; on the contrary, it was given to

them from every quarter of the House except their own. The right hon. Baronet appeared to attach great importance to the authority of the large landed proprietors who had declared in favour of the Government measure; but it should be recollected that they formed precisely the class least likely to be seriously affected by the intended alteration in the Corn Laws. The small proprietors, the statesmen of Cumberland, the yeomen of the dales of Yorkshire, the men of few acres, would be the greatest sufferers. Low prices for the produce of land would be ruinous to them; for, as the right hon. Baronet must well recollect, they did not pass unscathed through the terrible period of distress occasioned by the low prices shortly after the return of peace. The idea entertained at the present time by many hon. Gentlemen appeared to be, that only the most skilful farmers were to be allowed to cultivate the land. If, indeed, by a stroke of the legislative wand they could at once convert all the small farmers into men of large capital and the highest order of education, the land might doubtless on the whole be better cultivated. But where were they to find all these pattern farmers? Not in England; for the majority of England were hard-working smock-frock farmers: many of them, or their immediate predecessors, had been labourers, who, by persevering industry, and the accumulation of small savings, had risen into the class of small farmers. The measure before the House would strike at the very existence of this class of men. And yet these men had the same taste for the occupation of land as the hon. Member for Stockport (Mr. Cobden) professed he would have, and that all manufacturers had, after they had made their fortunes in trade. Why were those men, the Members of this most valuable class, to be denied access to the object of their honourable ambition, and the means only to be left to men like the hon. Member for Stockport to gratify their desires? Did the country owe no debt to the farmers of England, large and small—the latter forming the great majority? Yes; by the indirect acknowledgment even of the head of the Government himself. He had stated, that during the last forty years prices had rather fallen than risen. If this were true, then it was equally true that at no period of our previous history had the population increased so fast; but notwithstanding this enormous increase of population, such had been the growing skill of the farmers of this country, that their increased produce had more than kept pace with the increase of population. If this had been the effect of protective laws, what better evidence could we have of their advantage both to the producer and the consumer? What madness, therefore, would it be to entirely alter a system that had led to such beneficial results! The right hon. Gentleman who spoke last, tells us of various great landowners who are in favour of the repeal of the Corn Laws. But the House should remember that in all changes of this kind, it is not the wealthiest who are doomed to suffer, but the poorer members of the community—men who can just struggle on under present circumstances; and the class living under these precarious circumstances, is a far larger one than the wealthy class. It is the man of small means who suffers the most under changes of this sort; and yet this measure was introduced under a pretext that it was for the benefit of the poorer classes. And then, with a strange inconsistency, it was stated that corn was not to fall in price. The Government affirmed this. The Whig party also affirmed that corn would not materially fall. They, therefore, in their advocacy of free trade, could not pretend to be advocating the cause of the poor. If, however, the repeal of the Corn Laws should produce low prices, as he believed it would, he would, in the sequel, show that low prices had, by experience, been proved to be the reverse of beneficial to the working classes. Great pains had been taken by the economists to separate the interests of producer and consumer; but, the fact was, that except fixed annuitants, whose interest was in low prices and low wages, and who might abstractedly be considered as enemies to production, all classes of the country, although consumers, were also producers. The interest of all producers was to have a remunerating price for their produce; and this, under heavy burdens and taxation, they could not have under low prices. When they had fair prices, each formed good customers to the others; whereas, under low prices, no classes of producers getting profits, none could afford to buy from their neighbours: hence stagnation of trade and distress. The Corn Law was not so important to the landlords as to the labourers of this country. If the advocates of this change placed confidence in the speculations of one author more than another, that author was Adam Smith, and he said that the interests of the landlord

and the labourer were inseparable from the interests of the community; whereas the interests of the manufacturer and the merchant were not always so inseparable from those of the community. Instead, therefore, of making manufactures the foundation of the commercial edifice, as the right hon. Gentleman appeared to do, he (Mr. Cayley) would, on the contrary, make agriculture its foundation. Agriculture had always, heretofore, been considered the basis, and upon that foundation had arisen the superstructure of our present commercial greatness. The produce from the land was far greater than that from manufactures, while the cultivators of the land formed far the surest market for our manufactures. He (Mr. Cayley) was glad the right hon. Baronet had referred to the Agricultural Committee of 1836. He had had the pleasure of sitting on that Committee with him, and also on that of 1833. What were the chief complaints on those two Committees? The havoc and destruction to farming capital from a series of years of low prices. The right hon. Gentleman had adduced the evidence of Mr. Ellis, one of the witnesses, as favourable to moderate prices. He was not in favour of high prices, but only of such prices as would remunerate the farmer sufficiently to keep the labourer in employment, and the land in cultivation. Eighty shillings might be required under the heavy taxation of the war. In 1825, we saw that 64*s.* a quarter gave prosperity to all classes—commercial as well as agricultural. Perhaps 50*s.*, or a little above in average seasons, for an average quality of red wheat, might now be sufficient to maintain the land in cultivation. He was no enemy to fair competition; but competition which, if moderate, might stimulate to energy and improvement, might, if immoderate, lead to utter ruin and despair. But who was Mr. Ellis, to whose evidence the right hon. Gentleman had referred? He could scarcely be called a regular farmer. He (Mr. Cayley) remembered being surprised at his evidence being so unlike that of most who had come before them, and had been at the pains to ascertain who he was; and, as far as he remembered, his entire occupation was not that of a farmer, but he was connected with the trade of Leicester; his farm was just outside of the town, and was rather a large market-garden than a farm. Mr. Ellis, therefore, could not be considered in the light of a regular farmer. [Sir JAMES GRAHAM: The hon. Member has not referred to Mr. Howden's evidence.] There were many points in the right hon. Baronet's speech he should have wished to have replied to; but at that late hour of the night he feared to obtrude himself too long on the indulgence of the House. With respect to Mr. Howden's evidence, he perfectly well remembered his, and that of almost all the Scotch witnesses in 1836. But he thought that evidence was altogether on the side of good prices. He (Mr. Cayley) had found that most of the Scotch witnesses had been picked out to speak in opposition to the distress which had been almost universally in 1836 deposed to by the English witnesses. After the first two or three witnesses, therefore, he had asked them all this question: "Taking any district to which you can speak from personal observation, do you think the farmers in it are a richer or a poorer set of men thanthey were fifteen years ago?" The answer universally was, "They are a poorer set of men." During this period low prices had been the rule—high prices the exception; under the former there had been ruin—under the latter, comfort, and relief from the pressure of taxation. The right hon. Gentleman might say, if the Corn Laws did not save the farmer from low prices, where was their virtue? But no one knew better than the right hon. Gentleman the cause of those low prices; and no one had more clearly and pathetically described them. It was the change in the value of money which caused the decline in prices; and the variations from that decline—when better prices and prosperity had prevailed, were attributable to nothing else than to tamperings with the currency. When money was plentiful, as in 1817-18; in 1824-25; in 1836-37; and in 1844-45 — there was comfort and employment; when it was scarce, as in 1815-16; in 1820-22; from 1826 to 35; and in 1840 and 1846—there was stagnation and distress. What the Corn Law did, when lowness of price existed—whether arising from scarcity of money, or from abundance of produce—was to prevent foreign importation from still farther depressing the price. Then the right hon. Baronet had said that the present measure would tend to steady prices. Now he recollected that there was no other point in the two Committees of 1833 and 1836 which the right hon. Gentleman had laboured so earnestly to make out, as that the operation of the Corn Law had been in

this country, above all others, even where importation was free, to produce steady prices. He (Mr. Cayley) had thought so too, and he had seen no reason to change his opinion. All evidence went to show that this year there had been less scarcity and less variation of price in England, than in any other country of Europe. No doubt there had been a great variation of quality; but prices had varied less than could have been expected under the circumstances. The right hon. Gentleman had said that this measure would produce high wages, full employment, and low prices; but experience showed that full employment and high wages were not compatible with low prices. What had been the experience of this country on repeated occasions under a state of low prices? Take the period since the general peace. During the high prices of the war, great prosperity for the most part prevailed. The two years succeeding the war, 1815-16, were accompanied by a great fall of prices. Distress was universal; riots and outbreaks in the manufacturing districts were the consequence; great losses in trade and farming, and a great disemployment of labour. In 1817-18 and the first part of 1819, prices greatly rose; this rise of prices was accompanied by great and general prosperity among all classes of the community. Towards the middle of 1819 prices began rapidly to fall; that fall in prices continued progressively till the end of 1822, when wheat was reduced to a price of 40*s.* a quarter. What was the state of the country and of the working classes during these three or four years of low prices? Stagnation of trade, ruin in the agricultural districts, misery, starvation, and a revolutionary spirit evinced in the more populous districts. 1819, June 14, a large meeting was held of unemployed workmen, on Hunslet Moor, near Leeds, seeking for annual Parliaments and universal suffrage. June 6, a meeting was held of the weavers, at Glasgow, for similar objects. Aug. 16, was the Manchester Reform meeting. Nov. 30, Lords Sidmouth and Castlereagh brought in the Six Acts for preventing seditious meetings. In 1820 was the Cato-street conspiracy. Dec., 1820, the Constitutional Association was formed to oppose disloyal principles. 1822, Lord Brougham said distress was universal except in the North Riding of Yorkshire. Now he was just old enough to remember this period, and could bear witness that the North Riding was no exception to the general rule of wretchedness which then prevailed. Did the great and overwhelming distress then existing under a state of low prices, look like low prices being favourable to the productive interests and the working classes of this country? and yet recollect that it was low prices with which, by their measures, they were again threatening the country. In 1823, prices revived—1823 and 1824, and 1825, were years of great and general prosperity. High prices, then, were not injurious, as experience would prove, to the best interests of the country. He (Mr. Cayley) was not advocating high prices, but moderate remunerating prices; he was contending that a system, which would drive the labourer and even the tenant-farmer to the workhouse, was a system which could be beneficial to no one; and he was apprehensive the present measure would lead to that. This was not a question immediately affecting the larger landowners or the larger manufacturers; they were almost above the effect of low prices. But legislation should always be for the weak; the strong could take care of themselves. He repeated that low prices had almost invariably been accompanied by distress, and high prices by prosperity. After the end of 1825, prices again fell, and remained low for several years, although three or four years of scarcity in 1828-9-30 and 1831 made them appear higher than they really were. In 1827, he remembered that barley and wool were a perfect drug on the market, and threatened to throw the wolds again out of cultivation. In 1830, such was the pressure on the farmers from insufficient prices, under adverse seasons, that they were obliged to give up very generally employing labour. The effect of that state of things—as one of the blessings of low prices—the House would remember, was the dreadful system of "Swing" fires and the burning of stacks. It was this state of general distress that prepared men's minds for that great moral revolution, the Reform in Parliament, which was expected to be a panacea for all difficulties. Low prices, however, still continued; and what was the consequence? Mr. Fielden, in 1833—then, as still, Member for Oldham, gave an account to the House of a district in his neighbourhood, comprising thirty-five townships and 200,000 inhabitants. One quarter of these were visited by a charitable society; wheat was 52*s.* a quarter; the wages of the workmen 3*s.* 8½*d.* per week; and the average income per day of those visited, including wages

and poor's relief was 2¼*d.* The price of corn went on decreasing; and in December, 1834, the operatives of Preston, when wheat was 46*s.* a quarter, issued an address to their brother workmen in the manufacturing districts; and their principal complaint was of excessive labour, poverty, ignorance, and vice. In 1835, wheat fell to 39*s.* a quarter; and such a state of agricultural desolation as we then witnessed may a merciful Providence prevent our ever seeing again! To this long period of depression and distress under low prices succeeded the reaction of 1836 and 1837, which were periods of higher prices and almost universal prosperity. Towards the close of 1837 came a temporary fall, which produced a striking embarrassment in commerce, from which there was a partial reaction; but in 1839 there came again another prostration of prices, and consequent distress: then they heard of the hon. Member for Stockport; but how? Did he then call for a repeal of the Corn Laws to effect a fall of prices for the benefit of the working classes? No; his complaint, conjointly with Mr. Smith, of the Chamber of Commerce at Manchester, and others, was, that the fall of prices had caused the loss of 40,000,000*l.* in the cotton trade alone. In 1840 the Manchester men obtained a Committee of that House to inquire into the cause of that great loss. They attributed it to the malign operations of the Bank, and to the money laws; but Mr. Cobden and Mr. Smith were reported to have floundered in their examinations, and failed to make good their accusations against the Bank. It was reported at the time that then Mr. Cobden stated—

"It is no use attempting to get rid of this most mischievous bank influence, unless we can get the country gentlemen to help us. Let us attack the Corn Laws, and when they are repealed, the country gentlemen will be ready enough to help us to put the monetary operations of the country in order."

So that the agitation for a repeal of the Corn Laws did not originate in any desire to help the poor, but in a desire to uphold the profits of the wealthy manufacturers of Manchester. In the year 1842 Sir Robert Peel referred to that loss sustained by the cotton trade as a probable cause of the depression then still continuing. If, however, that depression was, soon after the introduction of the right hon. Baronet's measure of 1842, succeeded by a period of prosperity, that prosperity was to be attributed, not to those measures, but to that natural reaction which in so many instances had been shown to follow periods of adversity, stimulated as it was by great railway outlays. This was shown at periods succeeding 1793, 1810, 1816, 1828, 1834-35, as well as after 1842. If those measures were really good, and if they caused the prosperity of which the right hon. Baronet boasted, why did it not still continue? The famine panic, which was one of the grounds assigned by the right hon. Baronet for the present measure, was prospective; and the prosperity, if produced by the former measures, ought to have continued till the famine actually showed itself. Yet the fact was, that in the early part of this year there was great depression. The condition of the people was always better under high prices than under low. It was not that the labourer preferred to buy a dear loaf, but that he had better means of purchasing. On the other hand, the hon. Member for Devonshire had shown that at times of low prices, there was a greater number of persons dependent on the poor rate than at times of high prices. This statement of the Member for Devonshire was taken from all the unions of that large county. He (Mr. Cayley) was confident the same result would be found in other agricultural districts. He would read a letter to the House from a farmer of great skill and capital, not a heavily rented farmer, for he was a tenant under the Duke of Cambridge—who was well known as a liberal landlord—his rent was 500*l.* or 600*l.* a year, his farm was not even situated in a purely agricultural district; for it was only two miles from Kingston-on-Thames, which might almost be called a metropolitan township, being only seven or eight miles from London. This letter was pretty conclusive as to the injurious effect of low prices of corn on the condition of the labourer.

"Coombe Farm, Kingston-upon-Thames,
24th Feb., 1846.

"Sir—Having had forty years' experience in farming, perhaps you will allow me to give my opinion in regard to Sir Robert Peel's Corn Law question.

"In referring to my books of the prices of wheat, I find, upon examination, that whenever the price of bread was cheap, we had the most misery and destitution in our parish.

"For example, in 1822 I sold my wheat, the average price being 40*s.* per quarter. I generally paid from 90*l.* to 100*l.* per annum poor rates; in that year I paid upwards of 300*l.* poor rates. In the same year, being one of the select vestry, and meeting on Thursday evenings, I have frequently found from one hundred to one hundred and fifty able-bodied men willing and begging for work, applying for relief; but from the low price of corn,

the farmers had no means of giving them employment.

"In the year 1835, when the corn was at the same value, the same thing occurred: we had more destitution and misery than you can possibly imagine.

"Being a guardian of the Kingston Union, I am happy to say we have not an able-bodied man on that establishment, and very short of the usual quantity of poor in the house.

"The Corn Law League has done us (the farmers) the injustice of maligning our characters, without any just cause; and in the year 1822, and every year for the last forty years, I have never paid less than 12*s.* per week; and I believe that I can safely aver the average has been 15*s.* for the same time, as well as my neighbours.

"If Sir Robert Peel carries the present Corn Law Bill, the farmer must be inevitably ruined; for, independent of low prices, if the farmer cannot employ the labourer, he must keep him.—From your humble servant,

"FRAN. GARNER."

The agricultural system was, as Mr. Garner had properly observed, one under which landlords and tenants considered themselves united by peculiar ties with the labourers on their properties and farms. They felt themselves under more than the obligations of a temporary contract; they felt themselves under obligations in reference to that class whether the labourers could be profitably employed or not. If the property of the landlords and tenants were destroyed, it was impossible to say what would be the ultimate effect on the interest of the labouring classes. It was on these grounds that he upheld the opinion he had always entertained, that this was a dangerous experiment which had been proposed by Ministers. Indeed, he considered it so full of risk, and so deficient in support by sober evidence, authority, or experience, that of all the bubble speculations of the last autumn, he could call to mind none so purely chimerical and visionary as this legislative speculation of Her Majesty's Government. After the details into which his hon. Friend the Member for Somersetshire (Mr. Miles) had just gone, it was unnecessary for him to go into much evidence to show the grounds of his impression that corn would sustain a serious diminution in price. His hon. Friend had already referred to Mr. Barrow's (of Nottinghamshire) challenge to any one to take his offer to lay down good red wheat, of a certain weight per bushel, at 40*s.* a quarter in London, within the next three years. If, as the Ministers and the Whigs thought, wheat would not fall below 48*s.* a quarter, any Whig or Minister would gain 20,000*l.* by accepting the offer to lay down 50,000 quarters at 40*s.* If wheat fell, as Mr. Barrow believed, to 32*s.* a quarter, Mr. Barrow would win 20,000*l.* This was a fair wager; and Mr. Barrow being an old cornfactor, ought to know something of the matter. He would now advert very shortly to the opinion held by Mr. Sandars, a large cornfactor of Wakefield, as to the prospective prices of wheat under the operation of the present Ministerial measures. Mr. Sandars writes as follows:—

"As to the effect of the proposed measure on future prices, I expect to see wheat settle down in average seasons at 30*s.* to 35*s.* per quarter; but it won't surprise me to see the price at 25*s.* in 1849, if we have good harvests between this and then. We shall be overwhelmed with supplies, and shall become, from cheapness, an exporting country. I confess I cannot see how our farmers can survive this competition—it will cause a revolution amongst them—numbers must be ruined, and a vast many estates must change hands—say from the present lords to the cotton lords.

"GEORGE SANDARS.

"Wakefield, 10th March, 1846."

Such opinions, from such authorities, he must say, were enough to make a man of circumspection tremble for the consequences of the measure proposed; especially when he saw its advocates under a sort of infatuated delusion that no fall or scarcely any fall in price would take place under it. Then the right hon. Baronet seemed to imply that it was an acknowledged fact that the people were in favour of the proposed measure of free trade. It had been boldly asserted that the people were in favour of the measure. If such were indeed the case, he should bow with deference to the general desire in such a matter; but he had yet to learn that the people were in favour of the measure. The history of the Anti-Corn-Law League was, that it had circulated tracts, held meetings, sent persons round the country to make speeches, and in the progress of its agitation it was almost entirely unopposed. In consequence of the energy, the activity, and the agitation of that body, the tendency of opinion at this moment among two-thirds of the middle classes was rather in favour of the right hon. Baronet (Sir R. Peel). But where the question had been fairly put to the working classes, three-fourths took an entirely different view. How had the question been put in general to the working classes? "If we have free trade, your wages won't fall, and you will have bread at a much lower price; are you for free trade?" What working man to such a question, so put, would or could answer "No?" But was this the fair and honest way of putting the question to the working

classes? The workmen of England had already, however, disavowed that that was the true question. The true way of putting the question was this:—"Free trade in the abstract appears a true doctrine; for to buy in the cheapest market appears to be the natural desire of every man. But this country for some centuries has been in a very artificial state. Very few of its present trades and manufactures were indigenous to it. Most of our manufactures, if not all, have been fostered by laws to protect them from foreign competition, until at this moment, if it were not for heavy public and local taxes, there is scarce any branch of British production, agricultural or manufacturing, that could not, from the inherent energy of the British character, compete without any protection with any foreign rivals. Even in spite of our taxation, there are some of the simplest branches of manufacture, *i. e.* where machinery does almost all the work, and human labour enters into it scarcely at all, or if at all, through the instrumentality of a child—in such cases as the manufacture of yarns especially—in spite of taxation our produce need not at present fear an unrestricted competition; and so some of our most fertile lands might safely be left even at present, perhaps, to a perfectly unrestricted competition with the produce of foreign lands. If all the producers of England were of this superior class, no branch of trade need be alarmed at the idea of free trade. But it happens that the majority of the lands and the majority of the manufacturers and handicrafts of this country are not so superior to foreign rivalry as to be able, under the heavy pressure of our taxation, without great risk, to undergo an unrestricted competition. If the agricultural labourers, the silk weavers, the hosiers, and many classes of operatives and handicraftsmen, were, by free trade to be thrown out of employment—they could not buy so much cheap bread as they now do of dear bread, and the general rate of wages in the labour market would fall—"are you, the working classes, willing to run the risk of so dangerous a contingency as this?" To the question so put, and fairly put, the operatives have, with characteristic good sense, for the most part, preferred the practical smaller loaf they now possess, to the visionary larger loaf which an unfair and one-sided free trade promises to them. The League have appeared to be so convinced of this common sense view of the masses, that they have never, as far as I have heard, dared to hold open meetings in Manchester and the manufacturing districts in favour of a repeal of the Corn Laws. Meetings had been held in Manchester which were called public meetings, but had no title to the name. He had been informed of instances in which tickets were distributed in the factories, and the overlookers were stationed at the doors of the meetings to see that the workmen attended them. At spontaneous meetings of the working classes the current of opinion ran in an opposite direction. The sentiments held by the working classes, as he was advised, were either in favour of protection, or against the measure of Sir R. Peel, unless the reductions he contemplated were accompanied by corresponding reductions in taxation and debts. Whatever might be the views entertained by philosophers, or by those who thought they were philosophers, it had not yet been received by the majority of the working classes as a truism that competition, to its full extent, was an advantage. So far as the silk weavers were concerned, they had held about a dozen open public meetings in various parts of England, denouncing foreign competition as the greatest injury to their trade. These meetings had been held since the announcement of the Ministerial Tariff. Within the last three or four weeks, various meetings had been held in the cotton and other districts—most of them in the open air—where the freest discussion was invited and allowed; and, almost universally, the expression of working men's opinions was in favour of protection to native industry. At Leicester, at Birmingham, at Leigh, at a meeting of the surrounding nine large manufacturing parishes, at Sheffield, and various other places, numerous meetings were held, and either a total apathy on the subject of free trade existed, or the resolutions carried were strongly in favour of protection to labour, and against a system of relentless competition. Competition, indeed, no doubt stimulated to improvement; but to healthy competition there were limits, and in excess it produced incompetency to carry on a profitable business. But there was one system of competition into which he (Mr. Cayley) and the protectionists were ready to enter—a competition to ameliorate the condition of the working classes. He anticipated that from the discussion on the question of the Corn Laws, whatever might be the final result

of that discussion, one great benefit would be derived; it might lead them, on both sides, to consider more than hitherto they had done—with a more earnest purpose, and with more Christian feelings—the condition of the great body of the people. He was convinced that, notwithstanding the sneers thrown out on that side of the House, there was no sacrifice to improve, to better the position, and to add to the comforts of the working classes, which the landlords of this country were not ready and willing to make. Was it likely, he would ask, *primâ facie*, that the members of a class who, from generation to generation, had been the hereditary stewards and distributors of wealth, would now be guided by any mean, base, or unworthy motives in their political course, where the interests of the poor were concerned? He could affirm from his own observation, that the country gentlemen of England, as a body, and their families, considered no duty so paramount as an attention to the comfort and welfare of the neighbouring poor around them. Some, however, were more able than others to effect all they desired in this respect. He did not desire to cast any reflection on, or to make any disadvantageous contrast with, any other class; but so much he would in justice say for the landlords of England. It was such a competition as that he had mentioned, which should be the aim of all their legislation. It was not profit alone they should seek: it was the comfort and the welfare of the people for which they should chiefly struggle; and it was only in reference to the latter result that free trade should be considered. And who that had witnessed the privations, the domestic martyrdom which the poor had frequently to undergo, and the manly fortitude, and the Christian forbearance with which they endured the hardships to which they are exposed, but would be glad to join in any legislation or in any expedients by which their condition might with permanent safety to themselves be relieved? The right hon. Gentleman at the head of the Government had prophesied that, should this country adopt a free-trade policy, the example would speedily be followed by other nations. But what hopes had been held out? Mr. Huskisson, with a similar object, had in 1825 and 1826 prophesied the same thing; but instead of that, manufacturers in other countries having grown and extended more and more, they had become less willing each year to reciprocate such a policy as that then and now again recommended. They could not judge of the general feeling in America from the expression of opinion from any individual member of Congress; and it was quite certain that the free States of New England, and Mr. Webster, the leader of an important party, would not be in favour of any relaxation of the existing code, which should endanger the manufacturing progress of the Northern States of the Union. If the greatness, the commercial greatness of England had been the consequence of a free-trade policy, then, indeed, M. Guizot might point out to the French Parliament the example of England. He might say—"See what free-trade England has attained: let us do likewise," But the very reverse had been the fact. England had not become great through free trade; and neighbouring nations, when they desired to imitate her, would read her history, and find in the pages of that history the indisputable truth, that it was under a long course of protection to her domestic industry that England had arrived at her present pitch of greatness, commercial and political. He (Mr. Cayley) knew the trite assertion that was used by some in relation to this fact—that it was in spite, and not because of protection, that British commerce and agriculture had thriven. As well might they say that the civilization which had gradually grown up to humanize the Christian world, had grown up in spite, and not on account, of the progress of Christianity. There was no evidence whatever to show that any great nation on the face of the earth had become great and remained great under a system of free trade. All evidence and all history pointed the other way. Had any nation ever been greater in commerce and agriculture than England? Protection, and protection alone, had been her policy. And now we were, without any sufficient cause, to rush headlong into an opposite course. The present measures of the Government could be considered in no other light than that of a political speculation—in his opinion, a great bubble speculation. Although he placed no great reliance on his own individual conclusions, he (Mr. Cayley) still placed great reliance on the experience of centuries. From all that fell from the free-trade side of the House, and from the confidence of their assumptions, a stranger to our history would imagine that our experience had all been the other way; that every nation in the world had beaten us in

manufactures, in agriculture and commerce —and had all thus beaten us by following the system of free trade, while we had followed the system of protection; and that their object merely was to persuade us to try an experiment that in every other case had proved successful; while the truth was, that the experiment had never been tried before on a large scale with success; and that all success in industrial operations had arisen from following the opposite system of protecting domestic labour. Now let us see the fate of those who would venture upon the unknown sea of experiment without chart or compass. He (Mr. Cayley) was one of the deputation of 200 Members who waited upon Lord Melbourne in 1837 to urge the policy of the penny postage. Adjourning from Downing-street to that House, Members naturally discussed the probable results of the proposal made by the deputation. He sat near the hon. Members for Montrose and Kendal (Mr. Hume and Mr. Warburton), great advocates now, as always, of free trade. In a conversation, by no means confidential, he heard both those Members say that they would be willing to join a joint-stock company to farm the postage revenue at the old rate under the proposed system of the penny postage. What would have been the result of that bold speculation on their parts? The revenue from the postage under the penny charge had fallen off somewhere on the average about 700,000*l.* or 800,000*l.* per annum; and although gradually increasing at the rate of, he believed, about 30,000*l.* a year, it might be at least twenty years before the revenue under the new system equalled that under the old: causing a loss to the joint-stock company of which the two hon. Members would have formed a conspicuous part, of about 12,000,000*l.* before they began to receive a shilling of interest on their capital. Had those hon. Members been taken at their word, and the Government had held them to their bargain, the workhouse and not the House of Commons would before this have become their portion. And that was exactly the portion, viz., that of the workhouse, he so much dreaded from the proposed experimental measures of the Government, for thousands of the industrious classes of this country, whose labour had hitherto been protected. The right hon. Baronet at the head of the Government, however, had consoled them with the assurance that the two Sicilies had consented to reciprocate with us on the principle of free importations. Indeed! What an example! Happy Sicily! Happy Sardinia! fertile islands in the wide waste of waters! once in great part the granary of mighty Rome! but now embarrassed with little of the incumbrance of agriculture, and with less of the incumbrance of manufactures!—a prey and a sport to every passing gun-boat! you have yet treasured up for yourselves the inestimable satisfaction of having been the first nation of modern Europe to put into solemn practice the whimsical chimera of a perfectly unrestricted system of imports! Perhaps the strongest objection he (Mr. Cayley) felt to the measure before the House. was that it ran counter to the principle of all law. We were all slaves to the law, to the end that we might all be free. We had been in like manner the servants of protection, to the end that none should thrive at the expense of another. The object of all law was to protect the weak against the strong. What was the objection to the feudal system? That it was a government of the strongest. What were the natural laws of the forest? That the larger beasts should devour the smaller. What were the objects of this measure? An absorbing, relentless, he might call it a savage, competition for work and for bread between human beings. And this fierce scramble was to go on without restriction or control on the part of the Government. As well might they abolish all law; since the main objects of law were to protect the property and life of the defenceless from the violence of the powerful. But this measure seemed to him (Mr. Cayley) to restore in its worst form the lawless tyranny of the strong over the weak. It was not, as he had said before, the rich and the powerful who need be alarmed for the immediate consequences of this measure; the great landlord, the rich capitalist, the powerful manufacturer, might be greater by contrast, than before, from the decline in the fortunes of their humbler neighbours. But those who would suffer, were exactly those whom the law ought to protect: the poor manufacturer, the small landowner, the yeoman, the small farmer, the average workman, or the inferior artisan, would be crushed in the remorseless encounter. Was there a weak trader, a weak manufacturer, an operative past his prime, a labourer verging upon his decline—this measure promised to them degradation and ruin. It was a law to assist the strong to demolish the

weak. As if any necessity existed for legally aiding in a consummation too common under all circumstances. This measure, carried into operation, would, in fact, be a law to hasten the weak in going to the wall. And what was most strange was, that it was done under the pretence of helping the poor. Up to a certain point the cheapest market principle might be true; but it had its limits. The free operation of capital was certainly a system which led in its results to a great neglect of the poor, whose circumstances frequently required moral intervention. It was a system which he could characterize in no other terms that of the "Devil take the hindmost." But the political economists said that this system must be left to work itself out. Why, then, were those philosophers not consistent with themselves and their own doctrines? It was said, capital ought to be left to its free operation; then why did they object to Irish absentees? Why did they object to the Irish ejectments? They complained of the conduct of the Irish landlords: had they not a right to manage their estates as they pleased? Had they not a right to the free operation of their capital? Why did they support the Poor Laws? Were they not a disturbance of the free operation of capital? The philosophic system was that of the physical check of Malthus, which left redundant human beings to starve down to fit and proper numbers. Then with regard to banking: why was not every man allowed to open a bank? Because it would create inconvenience. Yet that was an interference with the free operation of capital. Why were they interfering with the affairs of railways? Why did they prohibit slavery? If a man could purchase a cheaper labourer, why, on their own principle, did they restrain the free operation of his capital? Why did they object to the Duke of Newcastle doing what he would with his own? Surely that objection was an interference with the free operation of capital! The free traders, in addressing the landed body, were very fond of telling them that property had its duties as well as its rights. What did this mean from their mouths? What an inconsistency and an interference with the free operation of capital was this! But the fact was, that moral considerations could neither be left out of this system or that, but must equally form a part, and a principal part, of all systems. For that reason, believing that capital had its duties as well as its rights, the protection party, as a body, had been in favour of limiting the hours of labour in factories, when the occupation or the atmosphere produced sickness, emaciation, and distortion. But you—said the hon. Member (Mr. Cayley) turning to the free traders—think turning off a workman immediately after his prime, and going into a cheaper market, the duty of capital. You think free trade, and profit and cheapest markets, most important matters. So they are; but they are not all-important. There are greater and worthier things for a nation's consideration than these. Yes, believe me, religion, virtue, loyalty, patriotism, deeply-rooted associations, social affections, local attachments, are of infinitely greater value than mere commercial theories. A nation's virtue and a nation's happiness are far worthier objects of your care than mere profit, except as profit conduces to comfort; and in all cases the mere earnings of capital should bend to the higher considerations of a people's moral and social welfare. But your abstract views, now proposed to be absolutely carried into effect, leave out of the estimate these higher considerations. Your cheapest market principle dreams of profit and profit alone. Your theory is to consider man as a machine by which you are to make a profit; and the moment the prime of his years is passing or passed, your system bids you go to your cheaper market for a younger and stronger man—to forsake the servant who has spent the best of his days in your service, and to leave him to the accident of fate. This system, we believe, is not in accordance with the Christian religion—nor in conformity with the duty to our neighbour—it has not been the practice either of the English aristocracy or of the English agricultural districts. You there, under what has been elsewhere called a remnant of the patriarchial system, see old men working on the land, and old retainers and pensioners whiling away a cheerful old age around the premises on which through a laborious life they have toiled. You see old tenants or their widows on farms, who have been old servants, who have the same taste for the land as the hon. Member for Stockport proclaims that he and you entertain; these tenants would not have been placed on their farms merely on account of skill. Are we on all occasions to go like you to the cheapest market? Are we to turn off old tenants because their husbandry is not the new-

est and most skilful? Are we to turn adrift old servants, because in our servic they have become less strong, and because it is cheaper and more profitable to get rid of these incumbrances on our money profits? And yet these are the legitimate results to be drawn from your doctrine of going always to the cheapest market, and of acting on a system of unrestricted competition. Those, however, have not been the principles in which we have been brought up, or the practice of our lives. They are alien to our sentiments, and revolting to our sympathies, as we believe them to be repugnant to Christian duty. Hard fortune, severe trial, dire necessity, cruel laws, may tend to teach us a different lesson, and the sterner and harder lesson of practising it; they may force upon us a system so painful to contemplate; but if that evil day should arrive, it would not then be our own fallen fortunes that we should the most deplore, but that our country had by its own fatuity committed the suicidal act which had eradicated from out its bosom those best treasures—more precious than all your profits, and all your gold—of loyalty, virtue, patriotism, of the social affections, and of deep-rooted, devoted attachments, which have hitherto been the moral foundations of the nation's strength, and the chief pillars of the people's hope. But if the system of cheapness alone is to govern all our legislation, I would ask, where it is to stop? And I would now venture to address those independent Members of the Conservative party who at the first outset of this struggle, when two-thirds of his supporters left his ranks, still with a view of retaining him in office, even at the sacrifice of their consistency and of their own convictions, still gallantly and chivalrously adhered to the right hon. Baronet in that crisis of his fortunes. Do they still believe the right hon. Baronet can be maintained in power? I think not; for I am convinced there are scarce a dozen Members of the House who do not consider the Government of the right hon. Gentleman at an end. Let those hon. Members, then, pause to consider the ultimate tendencies of this cheapest market principle. They still at least venerate our ancient institutions. I ask them if the Church is based on the cheapest principle? Are the Colonies and our colonial system—the foundation of our widely-extended Empire—are they founded on the cheapest system? Rely upon it this system applied to our Colonies will be the signal for their separation from the mother country. I have shown that the weakest and the poorest will be the greatest sufferers from this measure; but will the greatest and the most illustrious escape its ultimate operation? Her Majesty, I am bold to say, has not a more loyal and devoted subject than myself; but I cannot help anticipating that this system may, in the end, be equally applied to the Crown, and that some wretched spirit of economy may one day suggest that a retired ex-President of the United States, at a salary of 4,000*l.* a year, might make as useful and a cheaper head of the State than the descendants of the proud line of the Monarchs of England. You may, therefore, at this critical moment, maintain to us, in their present integrity, the Church, the Colonies, the cottage, and the Crown; but in office the Minister you cannot maintain. If these considerations will not weigh with you, save us, at least, from becoming "an astonishment, a proverb, and a by-word," an object of mockery and of scorn to the nations of the world—save to us, at least, I implore you, the liberty and the labour of a free, a faithful, and an industrious people.

"That old familiar tree,
Whose glory and renown
Are spread o'er land and sea,
Say, would'st thou hack it down?
Woodman, forbear thy stroke;
Cut not its earth-born ties;
Oh, spare that aged oak,
Now towering to the skies!"

The hon. Member, turning to the manufacturing Members, went on:—

"'Twas thy forefather's hand
That placed it by his cot;
There, woodman, let it stand,
Thine axe shall harm it not.
Woodman, spare that tree;
Touch not a single bough;
In youth it shelter'd thee,
Do thou protect it now!"

Debate adjourned.

House adjourned at One o'clock.

HOUSE OF LORDS,

Tuesday, May 12, 1846.

MINUTES.] PUBLIC BILLS.—1ª. Vexatious Actions Protection against.

2ª. Real Property Conveyance.

PETITIONS PRESENTED. From Mayor, Aldermen, and Burgesses of Dover, for the Employment and Reformation of Discharged Prisoners.—By Lord Colchester, from Guardians of the Huntingdon and Grinstead Unions, for the Adoption of a Measure making the Landlords of Cottages where Rents are under £6, liable to the Poor Rates.—From Guardians of the East Grinstead Union, for Repeal of Lunatics Act and Lunatic Asylums and Pauper Luna-

ties Act, so far as respects the Expense of Building and Maintaining a County Lunatic Asylum.—By the Earl of Shaftesbury, and other noble Lords, from several Charitable Institutions, against the Charitable Trusts Bill.—By the Duke of Richmond, from the Bath Church of England Lay Association, for the formation of a Bishopric for the Town of Manchester.—By Lord Campbell, from Members of Newington Free Church Congregation, Edinburgh, praying that a Bill may be passed for compensating Proprietors of Lands for the Purchase of Sites for Churches (Scotland).—By Earl Fitzwilliam, from Doncaster, for the Better Observance of the Sabbath.—By the Earl of Hardwicke, from the Company of Conservators of the Bedford Level, against any Alteration or Repeal of the Corn Laws. —From Ely and Huntingdon, against the proposed Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—From the Saint Pancras Mutual Building Association, praying that the Stamp Duties may be reduced, so far as relates to the Operations of certain Societies called "Building and Investment Societies."

THE CORN LAWS.

The EARL of HARDWICKE presented a petition from the Corporation of the Bedford Level, against any alteration in the Corn Laws. There was no part of the country which had a better right to send a petition on that subject than the Bedford Level, as it was a district of country which might be called artificial, having been brought to its present degree of fertility by the application of capital and industry; and the petitioners stated that the present prosperous state of that district could not be expected to continue if the Corn Laws were repealed, and a consequent reduction caused in the price of grain.

EARL FITZWILLIAM said, that notwithstanding the forebodings of the noble Earl, he had no doubt that both the noble Earl and himself would continue to receive their rents as usual from the Bedford Level after the passing of the measure on the subject of the Corn Laws, which would be soon before their Lordships, from the other House of Parliament. He had not the slightest doubt, that notwithstanding the existence of a perfect free trade in corn, they would continue to receive their rents as usual from their estates in the Bedford Level, that was, provided these rents were not raised too high in consequence of any delusion as to the effect of protection; and he was enabled to state, both on the part of the noble Earl and himself, that such was not the case. He had, therefore, no doubt that ten years hence they would receive the same amount of rent which they received at the present moment from their estates in that district.

RELIGIOUS OPINIONS RELIEF BILL.

LORD CAMPBELL wished to put a question to his noble and learned Friend on the Woolsack in reference to this Bill. On a former occasion a Bill had been introduced for the purpose of affording relief from certain statutes affecting religious belief, and the Bill was very properly referred to the Commission on Criminal Law, which reported in favour of the repeal of those statutes both as regarded penalties and the enforcement of certain oaths. The Bill at present before their Lordships embraced part of those recommendations; and it was desirable before it went through Committee to know if there was any intention to bring in a Bill to carry out the other portion not included in the present Bill? They ought to have the whole measure before the House, before they attempted to dispose of any portion of it, for it was impossible that they could judge with propriety of the enactments of the present Bill until they had the other on the Table.

The LORD CHANCELLOR said, he should proceed with the present Bill in Committee, and he should adhere to his determination not to proceed with the other Bill to which the noble and learned Lord had referred till the first was disposed of.

House adjourned.

HOUSE OF COMMONS,

Tuesday, May 12, 1846.

MINUTES.] PUBLIC BILLS.—2° Railway Companies Dissolutions.

PETITIONS PRESENTED. By several hon. Members, from various places, for Better Observance of the Lord's Day. —By several hon. Members, from various places, in favour of the Roman Catholic Relief Bill.—By Mr. Estcourt, and the Chancellor of the Exchequer, from Clergy of Christ Church and Principal Fellows of Jesus College, Oxford, against the Union of Saint Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—By Mr. Feilden, from Merchants, Manufacturers, and other Inhabitants of the Town and Neighbourhood of Blackburn, in favour of the proposed Measure respecting Customs and Corn Importation.—By Mr. Fuller, and Viscount Alford, from Guardians of the Poor of the Ampthill, Woburn, Linton, and East Grinstead Unions, for Rating Owners in lieu of Occupiers of Tenements.—By several hon. Members, from various places, for Repeal or Alteration of the Lunatic Asylums and Pauper Lunatics Act.—By Mr. Gibson Craig, and Mr. Ewart, from Edinburgh, Tongland, and Twynholme, complaining of Refusal to grant Sites for Churches to the Free Church (Scotland).—By Mr. Hutt, from Penrith, in New South Wales, for the Admission of Australian Corn on the same Terms as Canadian.—By Mr. Eliot Yorke, from Cambridge and Norfolk, against the Repeal of the Corn Laws.—By Mr. Philip Howard, from Members of the Committee of the Steam Ship Royal Victoria, of Carlisle, for Reduction of Tolls on Lighthouses.—By Mr. Pakington, from Droitwich, in favour of the Salmon Fisheries Bill.—By Mr. O'Connell, from Rathmines, for Release of W. S. O'Brien, Esq.

SOUTH NOTTINGHAM ELECTION.

On the Question that the Order of the Day be read,

MR. HILDYARD said: Sir, I am sorry to trespass upon the time of the House with a matter relating to myself; but I appeal to it to grant me its indulgence, while I take the first opportunity to answer a charge made against me in my absence by the noble Lord the Member for Falkirk (the Earl of Lincoln). For the particulars of it I am indebted entirely to newspaper reports; for since Thursday last I have been engaged in attending my duties in the yeomanry corps in the country; but, according to the reports, the noble Lord is stated to have said that I made an attack upon him on the hustings during the late election for South Notts, and imputed bribery to him. Now, in the strongest possible way in which the rules of the House will admit of its being done, I deny that I ever did so. I am aware it will be said, that this is only the assertion of one man against the assertion of another; but I think, when I read from the county paper, published at the time, the report of the proceedings at the election, the House will see that it bears out the assertion which I now make. I will not trouble the House with reading my speech, which I am quite certain could in no part be construed as hostile to the noble Lord, or imputing bribery to him, or making any charge against him; I will begin with the part of his speech which has reference to myself:—

"Ask Mr. Hildyard, whether he did not at Sutton, the day before yesterday, while addressing a number of electors, say the victory would be his (Mr. Hildyard's) in spite of the lavish expenditure of the other party, and add that the latter had offered 30*l.* a vote? Now if we did not deny with much greater force than usual charges like these, very little credence would be given to our repudiation of them; he therefore begged to say, that if such a statement really were made, it was a wilful and deliberate falsehood. Of course, he did not mean to apply that to Mr. Hildyard, who of course must have stated it on the authority of some one else; but he did not think that, as a gentleman and a Member for the county, Mr. Hildyard ought to tell them from whom he received that statement."

Then follows my reply to the noble Lord:—

"That I was perfectly ready to answer him; that, at Sutton, I did state that bribery was practised on the opposite side, and I maintain that still; that I did not believe that it was by the noble Lord, but by the Free Trade Committee at Nottingham; and I believe that still."

Sir R. Bromley, a principal supporter of the noble Lord, then said, "You do not impute it to his Lordship, then?" and my answer was, "No." Sir R. Bromley also said, "Nor to the gentleman who supported him?" and I answered, "No." Now, really, I cannot conceive how the noble Lord could state, as the result of this, that I made an attack upon him, and imputed bribery to him. In reference to the Free Trade Committee at Nottingham, I did state my belief that bribery was practised by that committee, and I will now say why I did so. At one of the polling places, during the election, two men were pointed out to me by respectable people of the place, as being reported to have received 2*l.* each; I went up to those men, and they themselves stated that the fact was so. I went to another polling place, and there a man came up to me, and said he had been offered 23*l.*, and he pointed out another man to me who had been offered the same sum. In the heat of the contest I went to another polling place, and stated publicly what I had heard. I am perfectly willing to admit, young and inexperienced as I am (as the noble Lord is always throwing in my teeth), that I ought not to have done so. My private opinion remains just the same now, as it was then; but I am quite ready to admit that I ought not to have charged that body with bribery; and I am perfectly willing now to retract the charge. But the noble Lord has said, that the county was canvassed before he vacated his seat. Now, I can assure the noble Lord that he is strangely misinformed upon that subject; and I will state why I say so. The first intimation I had of an election at all taking place, was by a letter from the noble Lord himself, asking my support, and begging me to lose no time in commencing a canvass for him, that I might anticipate any parties who should oppose him. As that was the first intimation I had of the proceeding, I cannot conceive that the county could have been previously canvassed for me. I have been in the county within the last few days, and have spoken to gentlemen who voted for him, and who have told me that no such canvass took place; and that if they had been so canvassed for me, they would have voted for me, and not for the noble Lord. Now, I hope I have refuted the assertions of the noble Lord to the satisfaction of the House. I must say I think the statement and the charge most uncalled for, and most ungenerous on the part of the noble Lord the other night; I say most ungenerous, for he must have known, that through the whole election I did not allow a single word to escape from me, as far as I could

tell; that could be construed into any personal hostility to the noble Lord; I did not even retaliate when he chose to indulge in those personalities, which were, I must say, regretted by his friends, and pitied by his opponents. I did not think he would have cherished this ill feeling towards me during the last three months, and then vented it when I was absent. I have only to add, that I trust my fate, which he seems so much to pity, may be the fate of many of my friends at the next general election. I trust then to see them with majorities of 500 or 600 over many of the 112 Conservative supporters of the Government—over many who are now sitting on the Treasury benches against the will of their constituents.

The EARL of LINCOLN: Sir, I am extremely unwilling to prolong even for a few minutes any discussion of a mere personal nature in this House; but I feel, that after what has been addressed to the House by the hon. Gentleman, it would not be right for me to remain perfectly silent on the subject. I can assure the hon. Member that his movements were not so well known to me, as that I was aware of his absence from London, or even from the House when I addressed it on Friday last; in fact, I was not aware of that circumstance till he mentioned it just now. But when he complains of my making an ungenerous attack upon him, in imputing to him that he made a charge of bribery against me, I would beg the House to remember what I did say on that occasion, and compare it with the newspaper extracts which the hon. Gentleman has just read. The noble Lord the Member for Lynn (Lord G. Bentinck) charged me with a lavish expenditure of money at the South Notts election, and said that the tenant farmers had defeated me in the contest in spite of that lavish expenditure; and those very words, "a lavish expenditure of money," occur in the speech which the hon. Member himself read from a report in a local paper. So far as I recollect, I did not say last Friday that the hon. Member had charged me directly with bribery, though I have now no hesitation in asserting that he did so charge me; but I do not see a very broad distinction between charging bribery upon an individual, and charging it upon the party by whom he is supported, because, practically, the hon. Member will find, before he has been much longer a Member of the House, that, generally speaking, friends are not so very willing to expend lavish sums in a contest, unless there is some one in the back ground, commonly the candidate himself, to "pay the piper," as it is termed. However, what the noble Lord charged me with was a lavish expenditure of money, of course meaning an illegal expenditure—["No, no!"]—certainly I should never think of understanding, after such a charge, that the expenses were strictly confined to those which were legal. I then said to the noble Lord, that I was surprised he should think it dignified, in his position, to revive against me in this House charges which had been brought forward on the hustings by my opponent and successor—charges which I had refuted then, and which those who supported me had refuted since—charges which the hon. Gentleman (Mr. Hildyard) was again taxed in this House by the hon. Member for Nottingham (Mr. Gisborne) with having made, without foundation, and which he refused either to avow or to deny. The hon. Gentleman has now withdrawn the charge; and if he had said then what he has said now, he would never have heard from me one word further upon the subject. I can assure him I cherish no ill feeling whatever against him, or against any individual engaged in that contest, who conducted it upon fair and honourable terms; and by far the great majority of those who were engaged in it did so conduct it. But the hon. Gentleman did not give that answer then. He has now stated that he entirely withdraws his charge. As he has so done, I feel that it is unnecessary for me to say another word; and it would be perfectly unbecoming in me to do so. This is the only material point in the hon. Member's observations which I rose to notice; but as every Gentleman is always unwilling to labour under the imputation of having uttered what is not strictly and literally correct; and as the hon. Member has touched upon another point, I may perhaps be allowed to explain upon that point also. The hon. Gentleman states that the assertion I made the other night was not true, that the county was canvassed throughout by my opponents before my seat was vacated; and as a proof of his statement, he says that he was not aware of my intention to vacate it until I addressed a letter to him. Now, I not only believe, but I know, that this was the case. I know that the hon. Gentleman did not start until the Monday following the Saturday, when I issued my address;

but, nevertheless, my statement is perfectly true: the county was canvassed throughout, parish by parish, and man by man, two months previously to my vacating my seat; and I was informed of it, both before I vacated my seat, and repeatedly afterwards on my canvass. This canvassing in many places was for an unknown person, but more frequently for the individual who, the hon. Member is well aware, was intended originally to be my opponent, but was obliged to give way to his own higher claims. Now, that is the whole case. I can assure the hon. Gentleman, that so accurate was the information in the camp on his side, that though I accepted the office I now hold only on a Saturday, and issued my address that day, and proceeded down to Nottingham by the mail train on Sunday night, arriving on Monday morning, I found on my arrival at Newark in the afternoon of that day, that the whole district in that neighbourhood had been canvassed at six o'clock that morning, with the information of my being Secretary for Ireland, that information being sent down by express on the Saturday night; and the whole machinery, which had been very elaborately and carefully prepared, was set in motion before any step had been taken on my part. This I explained the other night as the reason why it was necessary for me to incur the expense of retaining more professional agents than under other circumstances I should have been inclined to do; and I stated to the noble Lord that that was the only expense of an unusual nature incurred by me. Having explained these two points, I beg to repeat to the hon. Member, that he is perfectly mistaken if he supposes I entertain towards him any ill feeling whatever; and, if I had done so, his complete retractation to-day of the charge he has made would have completely removed any such feeling from my mind.

Order of the Day read.

CORN IMPORTATION BILL—ADJOURNED DEBATE.

MR. NEWDEGATE rose to resume the Adjourned Debate, and remarked that it must be in the recollection of the House in what manner the debate had been terminated on the preceding night, by the speech of the hon. Member for Yorkshire—a speech characterized not less by soundness of reasoning and a natural eloquence inspired by the feelings of the speaker, than by the triumph it exhibited over the physical infirmities which unhappily had oppressed the hon. Member. As he listened to that speech, it seemed to him as though the spirit of those statesmen who once ennobled the House, had animated the hon. Member. It almost seemed as if the genius of Pitt or of Canning had returned to elevate the debates of that House above the dead level to which they too often were reduced. He desired briefly to advert to one or two statements of the hon. Member for Somersetshire (Mr. Miles), which had been controverted, or rather denied, by the right hon. Baronet the Home Secretary. The right hon. Baronet had stated that the hon. Member for Somersetshire had informed the House that there existed in Russia a disposable surplus of 20,000,000 quarters of wheat above the consumption of that country; and that in America land had every year been producing wheat for a lengthened period without manure; and the right hon. Baronet had ridiculed these statements. Now, however, the right hon. Baronet might attempt to throw discredit on these statements—however determined the Government might be to take this "leap in the dark," it was important to communicate all the information that could be obtained as to the probable amount of corn to be expected from abroad in the event of the abolition of the Corn Laws. The statement of the hon. Member for Somersetshire was fully borne out by the authority of Mr. Ellsworth, the Commissioner of Patents in the United States, as shown by the following passage in Mr. Ellsworth's report:—

> "The wheat lands in the west are so rich in proper qualities, that probably for years no injurious effects of a constant succession of this crop need be apprehended; but in western New York, and perhaps in some of the earlier settled sections of Ohio, there is some danger, and the attention of the people has been called to the subject."

Now, with respect to the other statements of the hon. Member for Somerset. In page 328 of the commercial tariffs and regulations of the several States of Europe and America, under the head Russia, in the documents laid before the House, compiled by Mr. M'Gregor, it would be found that the total average consumption of Russia, including seed and the supply of distilleries, amounted to 141,000,000 chetworts; the total average disposable surplus to 40,000,000 chetworts, or about 28,000,000 quarters. So that, if there were any error in the estimate as to Rus-

sia, it was to be attributed to the Papers laid before Parliament by the Government: while, as to the land in America, he (Mr. Newdegate) having himself been there, could testify to the substantial correctness of the statement he had referred to. He had been at some pains to ascertain the prices of wheat at the great port of America, New Orleans; and he found the average price of the last two years was 24*s.* 8*d.* per quarter, and that of flour in proportion; and the expense of transit to this country 10*s.* per quarter. So that if the supply of corn in America exceeded the demand—and no one who knew the resources of such vast States as Ohio, Illinois, &c., could doubt that it would be so, if a demand were created in this country—wheat would be imported from New Orleans to Liverpool or London under 35*s.* per quarter as an average. When, therefore, our ports were thrown open to the world, we should have a competition in our markets of supplies from both hemispheres at that rate; for it had been abundantly proved that the countries of Europe could compete with America at that price. There could be no doubt that our prices would be reduced to the general level of the world; and that wheat in this country would, after the repeal of the Corn Laws, be at from 35*s.* to 40*s.* per quarter as an average. He would next advert to some topics in the speech of the right hon. Gentleman the Home Secretary, who last night had again spoken of this measure as the result of the Ministerial sense of a great public danger. The right hon. Baronet at the head of the Government had himself acknowledged that if he had attributed his proposition of the measure solely to the "pressure" of distress in Ireland, he would have been disingenuous. What, then, was this pressing danger? He (Mr. Newdegate) did not see the cause for the apprehensions entertained by the Government, unless it were the prospect of a stagnation of trade. But he (Mr. Newdegate) believed there would probably be a stagnation in trade whether this measure had been introduced or not; and he considered that the measures passed in 1844 would aggravate any such pressure. He believed that the Government had felt the necessity for some remedial measures in favour of the manufacturing interests, with a view to mitigate the mischief of their own monetary measure; but he was still more strongly persuaded that the present position and professed opinions of the Government were to be attributed, in a great degree, to the progress of agitation. And when it was considered how many instances might be enumerated in which, from the passing of the Emancipation Act of 1829, to the present period, including the grant to Maynooth, which was the consequence of the Repeal agitation and the monster meetings, the Minister now at the head of affairs had yielded to similar pressures, could it be expected that such popular influence would ever cease to have a corresponding effect upon him? The noble Lord the Member for the city of London had warned the agricultural Members to yield in time. He had adverted to the successful agitation which had preceded the Emancipation Act of 1829—the Reform Act and the Maynooth Bill. The House had seen Her Majesty's Government yielding to the pressure of the Anti-Corn-Law League in the present change in their commercial policy; and could the House believe that if these measures passed, in consequence of the exertions of the Anti-Corn-Law League, that the Repeal Association would be less successful in the result of their agitation? This was the opinion entertained by the hon. and learned Member for Cork in 1844, who had said at a meeting in Conciliation Hall—

"I cannot bring myself to doubt that Peel himself might be the man to propose the repeal of the Union." ["Hear, hear, hear," *and a laugh.*] "Then hurra for Peel and Repeal!" [*Laughter.*] "When you talk of a man's future conduct, the best grounds upon which to conjecture what it will be, are those afforded by his past conduct." [*Loud cries of* "Hear, hear!"] "In the antecedents of Peel, what is there to justify a disbelief in the possibility of his being the man to propose a repeal of the Union?" ["Hear, hear!"] "We have nothing to be grateful for to Peel and the 200 myrmidons who go from one side to the other at his command." [*Loud cries of* "Hear, hear."] "No! Thank Conciliation Hall—thank agitation!" ["Hear, hear."]

And then came the memorable words with reference to the Maynooth Grant Agitation:—

"I thank you Conciliation Hall, I am obliged to you, Repeal Association; Maynooth ought to pray for you."

The introduction of the present measure, in fact, was another added to many proofs which the right hon. Baronet had furnished, of deficiency in that firmness which was the first characteristic of a great statesman. Were his supporters to go on in a similar course? Why should not Repeal of the Union, then, be expected as one of the right hon. Baronet's future concessions? Why

should the right hon. Baronet disappoint the hon. Member for Cork, after having gratified the hon. Member for Stockport? The loss of character in public men was perhaps one of the results most to be regretted in the introduction of the present measure; and it had been well said by the hon. Member for Huntingdon, that if the country were suffering under any dearth, it was a dearth of statesmen. The Gentlemen on his side of the House, who contended for protection, had been taunted by the Secretary for the Home Department with having, during the last two years, maintained great silence on this subject; but was there no reason for that silence? When the right hon. Baronet at the head of the Government told them that the measures he from time to time brought in during the last three years were but stepping-stones to greater changes, such as that which he had now proposed, might his hon. Friends not, with reason, think that any word which dropped from them during that time would be turned against them hereafter, and that they would be told they were committed to the measures of the right hon. Baronet? The right hon. Gentleman the Secretary for the Home Department had referred to the observation which fell from the hon. Member for Shrewsbury with regard to the exportation of bullion which would take place when the measure passed; and he said he agreed with the hon. Member for Shrewsbury, that, in the present state of our monetary system, large exportations of the precious metals were inconsistent with a sound state of the currency; thus differing from the right hon. Baronet at the head of the Government, who said he did not care whether such exportation took place or not—indeed that he wished it might. How the right hon. Baronets came to a coincidence on the principles of free trade, differing in so essential an element of our commercial relations as the monetary system and the effects of an exportation of bullion, he did not know; but the right hon. Baronet at the head of the Government stated, that we should bring the bullion back by the exportation of our manufactures. The right hon. Baronet did not tell, however, at what sacrifice and loss to the trade of the country this would be done. But the Home Secretary admitted that, even after this panacea of free trade was carried, in times of scarcity there would be an exportation of bullion. He was of the same opinion; and he asked the House, viewing the effect of an exportation of bullion in 1825 and 1839, to consider what would be the result. The right hon. Gentleman went on to show that the way of getting out of the difficulty of our monetary system, in the case of a glut of the markets for our manufactures, would be to send manufactures abroad when the home markets were glutted, and so glut the foreign markets to relieve the home market, receiving payment in grain without payment of duty. Now, supposing this to be the case, the only effect would be that the manufacturer would have an opportunity of shifting the loss from himself upon the shoulders of the agriculturists, by transferring his goods to foreign markets, and bringing back importations of corn, which would injure the farmer. What would be the effect on the circulation? By the first statement there had been a glut of manufactures; therefore there would be distress among the manufacturers. Then they would bring on a glut of corn by the importation, which would cause distress among the agriculturists. But any one who knew anything of exchanges, knew that a forced importation turned exchanges against the country importing. Now the right hon. Baronet the Secretary of State for the Home Department had predicted that the foreign markets would be glutted to relieve the home market. But importation of necessities, such as tea, sugar, &c., for home consumption, would go on, and would not be paid for in manufactures, because the foreign markets in the case supposed would be glutted: they must therefore be paid for in bullion exported from this country, and a drain must ensue; for exchanges, owing to a forced importation of grain, must already have turned against this country. They would therefore have a monetary crisis, by reason of the exportation of bullion, according to the system of the right hon. Baronet at the head of the Government, more severe than had ever been known in this country. The two right hon. Baronets had declared for free trade, and adopted the doctrines respecting free trade from Adam Smith and Ricardo; but they had rejected the opinions of those authorities respecting the monetary system. He believed that those writers, when they advocated free trade, understood that a different monetary system from that of this country would be required under free trade; and this the right hon. Baronet (Sir R. Peel) had admitted in 1844. The right hon. Baronet claimed the authority of those

eminent political economists to sanction his commercial policy, but repudiated them with respect to monetary matters. [Sir R. Peel having indicated by gesture a denial of these remarks of the hon. Gentleman, Mr. Newdegate observed] I will state this in the terms of the right hon. Baronet's own speech on the Bank Charter question, in 1844 :—

"In support of that opinion they, the opponents of the present system, have undoubtedly the high authority of Adam Smith and of Ricardo. Both these eminent writers assume that immediate convertibility into coin is all that is requisite to prevent the excessive issue of paper. It is no impeachment of their sagacity, if, in the progress which this science, like all other sciences, is making, there be reason to doubt the soundness of any particular opinion which they may have delivered. And it is our duty to disregard their authority, and to act on the conclusions of our own judgment, if either reason or experience convinces us that they are safer guides."

The right hon. Baronet (Sir J. Graham) had said much on the reduction of prices of British produce; but he did not admit what must be the effect on the agricultural interest and the operatives of such a reduction, and on the national resources: he (Mr. Newdegate) would refer to the opinions of Mr. Malthus, recorded in that able work, by the Home Secretary, "An Address to the Landowners on Corn and Currency." Mr. Malthus said, that if the price of corn were to fall to 50*s.*, and labour and other commodities nearly in proportion, there could be no doubt that the stockholder would be benefited at the expense of the industrial classes, and that Government would in reality pay 7, 8, and 9 per cent interest for the debt, instead of 5 per cent, and for the last 200,000,000*l.* of it not less than 10 per cent. Mr. Malthus thus continued :—

"If we consider with what an increased weight the taxes on tea, sugar, malt, soap, candles, &c., would in this case bear on the labouring classes of society, and what proportion of their income all the active industrious middle orders of the State, as well as the higher orders, must pay, in assessed taxes and the various articles of custom and excise, the pressure will appear to be absolutely intolerable. Indeed, if the measure of value (meaning corn) were ready to fall as we have supposed, there is great reason to fear that the country would be absolutely unable to continue the payment of the present interest of the national debt."

Now this applied to a reduction to 50*s.*, not 35*s.*, and applied *à fortiori* to the present case. It was urged by the right hon. Baronet, in justification of his measures, that this country would not become dependent on foreign countries for food; but to his (Mr. Newdegate's) poor apprehension, if they established a direct exchange between foreign corn and our manufactures, that must be the effect. The right hon. Baronet (Sir J. Graham) had said, that the demand for food in this country was certain. Well, then, they knew that the home production was able to meet the demand, with the exception of a small average of importation at a moderate price. Now there were three reasons why home-grown corn must be displaced, if the free traders succeeded in their object, which was to exchange manufactures for corn by direct barter, as it were. First, if they exported manufactures, and brought corn in return, they must sell the corn, when they had got it, in the markets of this country, being the only open markets, and could afford to sell it cheaper than corn merely imported for sale, and not as a remittance in payment for manufactures. With this additional advantage, how could it be doubted that it would displace home-grown grain, which was more costly in its production. The difference of the cost of production, as against the corn grower of this country, was the second reason, and of itself sufficient to cause the displacement of a large quantity of home-grown grain from our supply. The third reason was the fact that the markets of this country, being the only open markets of the world, would become the markets for the surplus grain of the world; and every one knew that, in ordinary years, there must be a surplus production of grain in every country depending upon its own supplies, or there would be frequent periods of scarcity. For these three reasons he could not doubt but that a very large quantity of home-grown corn, perhaps to the extent of six or seven million quarters, would be supplanted in the markets of this country; and to the extent of that displacement we must become dependent on foreign nations for our supplies of food. It had been assumed that wages did not vary with the price of food. He should have thought, however, that when they remembered the fall of wages coincident with the fall of prices in wheat from the commencement of the present century to the present time, or the mass of individual evidence they had received, the statements of the noble Lord the Member for Stamford (the Marquess of Granby) for instance, must have convinced the Government that, in one particular at least, they were wrong; whilst the statements of many other Members near him ought to have taught them to doubt their theory. For the

reasons he had given, he conceived that the Corn Laws were not unjust; and for one he would not be a party to disappointing those who sent him to the House to combat these newfangled doctrines. The noble Lord (Lord J. Russell) and the right hon. Baronet (Sir R. Peel) had both bid the aristocracy yield, and said, that if they would preserve their position, and retain their power and influence in this and the other House, they had better succumb; but he, humble individual as he was, told them that they would do better to convince the people of this country that they had courage and honesty to act upon their convictions. He had always felt it was wiser to confront any enemy than to cause desertion from one's own ranks; and he thought the present position of the Government was a strong instance in proof of this. What was that position now, compared with six months ago? The feelings of the people of this country were never so much outraged as when they saw persons whom they had been accustomed to revere, changing their principles of action; and if anything could pave the way for the destruction of the aristocracy, it must be such tergiversation as they had lately witnessed. Let the House of Lords remember that their House was a court of justice as well as a legislative assembly, and that the preservation of the character of the Upper House was of more real importance to its stability than any transient acquisition of popularity at the expense of principle. A mistake had been propagated, both by the noble Lord (Lord J. Russell) and the right hon. Baronet (Sir R. Peel), in speaking of the population of this, the most productive country in the world, as if they were all mere consumers. Their argument proceeded on the evident fallacy that the agriculturist produced no more than he consumed, which was absurd; and if he did produce more than he consumed, by lowering the price of his product, he must lose upon the larger quantity, and be compensated on the smaller, and must therefore be a loser. The noble Lord, Lord John Russell had said—

"The great cotton manufactures of this country, the great woollen manufactures, the great linen manufactures of this country, are sent abroad to compete in markets at a great distance from us; they are sent to the markets of America and of Asia to compete with the fabrics of other countries; we therefore want no protection for them in Sussex or in Lincolnshire. If that be the case, and if the great branches of our industry want no protection, they are not benefited by the trifling and the trumpery protection which remains on your Statute-book, and they are not benefited by that protection which seems to give to one particular class of industry an advantage. The great general argument of all writers on political economy with regard to protection applies to each particular class. In the first place, it interferes with the due current of trade on behalf of one particular class; in the next place, it lays a tax upon the rest of the community for the benefit of that particular class; and in the third place, this particular object is not attained, and the very classes it seeks to benefit lose by this pretended protection. Indeed, these propositions have now been so clearly proved, that they have become axioms in political science."

For these reasons the noble Lord pronounced the Corn Laws unjust. The two first arguments proceeded upon the assumption, that protection was effectual in preserving the home market to the home producer, and in thereby raising the price of his produce for his benefit, but to the disadvantage of the consumer. But the third argument contradicted the two first, and assumed that protection did not, by preserving the home market to the home producer, raise the price to the consumer; but that this was untrue, could not be doubted from the difference of price for corn in this and other countries, and from the payment of a duty sometimes equal to 17*s.* a quarter. But, to refer to the two first arguments, which assumed that protection is effectual, because of its partiality. Now the interests of the producer were here assumed to be antagonistic to those of the consumer; a doubtful hypothesis in a productive country; but the laws, which were for the benefit of the majority, were, he believed, admitted to be for the general good, unless they could be proved to unduly oppress the minority. The question then was, whether the manufacturing or the agricultural interest was the most numerous; for a law which gave protection to a majority, if it did not unduly press on the minority, had always been held to be a good law; and this reduced the question to a comparison of the numbers dependent upon the different interests of this country. Grievous mis-statements had been made, not only in this country, but in foreign nations on this important subject. As a proof of this, he would refer to the observation of M. Guizot, with reference to Sir R. Peel's measures, that free trade might be justified in a State like England, because the population of that country depended mainly on manufactures and commerce. The right hon. Baronet the Secretary for the Home Department had said

that this country had become, for good or for evil, a manufacturing and commercial, instead of an agricultural country; and in support of his position he had referred to the Population Returns. This matter had been investigated county by county, after the plan that had been used in every census except the last, in order to find whether the classes dependent upon agriculture really were so few in numbers as they were made to appear in the last census; and the result he would state to the House. Mr. Spackman, the well-known writer on statistics, had analysed the returns, and the details would shortly be given to the world in a work now in the press. It appeared that the occupation abstract of the census of 1841 had been made out in a different form from that of 1831. The return of 1831 was perfectly intelligible, and clearly showed from what sources the different classes drew their means of support, and upon what interest they depended; but, in 1841, all persons employed in trade, manufactures, and handicraft, were mixed up together, and made to appear as depending on the manufacturing interest; as if the agriculturists needed no shopkeeper to buy his goods from, no handicraftsman to make his implements, and no railways or canals to convey his produce; as if all this traffic, and all these means of conveyance and sources of profit, were dependent on the manufacturing interest alone. It would be seen that while in the census of 1831 the population of the United Kingdom was divided into three classes—namely, agriculturists, manufacturers, and all other individuals, such as persons engaged in retail trades, capitalists and professional men, there were but two divisions in the census of 1841—namely, persons engaged in trade, commerce, and manufactures, who were set down at 2,636,795, and persons engaged in agriculture, who were set down at 1,712,699. Now in that latter return there was a manifest juggle, inasmuch as many of the members of those retail trades which were classed with manufactures depended principally on agriculture for their support. Was it possible, he would ask, that any reliance could be placed on returns based on such a principle? But from the returns which he held in his hand it appeared that in 100 counties and divisions of counties the agriculturists predominated, while the manufacturers predominated in only twenty counties or divisions of counties. It further appeared that the actual number of persons engaged in agriculture was 3,343,974, and that the number of persons actually engaged in manufactures was 1,867,218; and if all the rest of the population were divided in the same proportion, there would be 13,604,915 dependent on agriculture, and 8,009,982 dependent on manufactures; so that the total number of persons engaged in or dependent on agriculture might be taken at 16,948,889, and the total number of persons engaged in or dependent on manufactures might be taken at 9,887,200; showing a majority of 7,071,689 in favour of agriculture. He contended that the improvement of agriculture in this country, unsurpassed in any other country, if anywhere equalled, showed that the Corn Laws had operated to the advantage of the British cultivators, who with their dependents constituted a vast majority of the population. Could it be shown that the minority—those engaged in manufactures—had been unduly oppressed by these laws? Had no fortunes been made in Manchester? Was Leeds deserted? Was trade unsound in Birmingham? Was it not notorious, that the reverse of these suppositions was the fact. He then had a right to assert, that to term protection to agriculture unjust, was to propagate a baseless fallacy. After having trespassed on the attention of the House with these details, he could not help expressing, before he concluded, his deep censure of the change in the policy of Her Majesty's Ministers upon the question. The course they had taken induced him to believe that their recent measures had been long secretly contemplated, and that they had been precipitated by the state of distress in Ireland, and by an uneasy feeling with respect to the trade of the country, a relapse of which he believed would occur, whether these measures passed or not. But it was not of their opinions that he complained; and what he complained of was that they had so long entertained those opinions unavowed. He could only look upon their present proposals as measures secretly determined on—produced in fear—introduced into that House in arrogance; and he was confident that, if passed, they would result in disaster.

Mr. G. PALMER said, that there was never any measure introduced into the House more deserving their serious attention than the present; but he thought that if every Member were to vote according to

his feelings, the result would show a majority of two to one against it. One great advantage which had arisen from this debate was, that it had shown the fallacy of the arguments used by Her Majesty's Government. He must declare, upon the part of the constituency which he represented, that it was not their desire, nor the desire of the agriculturists of his county, to profit at the expense of other interests; but they thought this measure would be against the interests, not only of the agriculturists, but of every one in their country. He believed the returns laid on the Table relative to our trade were not correct; but, admitting their correctness, the large import of our manufactures on the Continent, which they showed, would not compensate for the disadvantages which the measure would entail. If they wanted 2,000,000 quarters of corn, they would have to pay for it in hard gold. As for America, it was every day establishing manufactures of its own, so that there was no great hope from that quarter. As regarded the currency, they could not issue more than a certain quantity of notes; and if the drain of gold became great, the whole finance of the country might be deranged. He thought the better policy was, that they should mainly trust to themselves for the necessaries of life; and he thought we should rue the day when we were dependent upon the foreigner for the supply of the necessaries of life. He should be sorry were it supposed by any class, that he or his party was influenced by interested motives; but then it was only fair to consider the burdens which peculiarly affected land. There was not an acre of old cultivated land which was not subject to a charge of 13*s.* poor rates, highway rates, county rates, and other taxes. It was the small farmers and the labourers who would chiefly suffer by the measure; for the latter were to a great extent dependent on the farmers, and the small farmer could not, like the man of capital, reserve his crops for an advantageous market, but was frequently obliged to sell when there was a glut, and when corn fetched a ruinously low price. Sincerely entertaining these opinions, which had always been held by him, he must vote against a measure which he believed would be detrimental to the general interests of the country. These opinions were entertained by Her Majesty's Government not very long ago; and he had never heard a foreigner speak on this subject who did not say that it was the first duty of a Government to protect the interests of their own country.

CAPTAIN POLHILL thought the small farmers would be injuriously affected by the Government measure; and so strong had been his impression on that subject that he thought it necessary to bring under the notice of the House a clause designed for the relief of those tenant farmers. He was of opinion that if a Select Committee had been appointed, it would have been proved that the tenant farmers would be deeply injured by the passing of this measure. It was his intention to have moved the insertion of the clause he had mentioned; but he had learned from the Speaker that it was not competent for him to do so. He wished it to go forth to the country that he did not shrink from fulfilling his duty; but the rules of that House did not permit his doing so in the manner he wished. He entertained a strong sympathy for the class he had alluded to. The leading journal of the Empire, in one of its leading articles, did him the honour of combating his proposition; but in doing so used an argument which he thought had rather a tendency to confirm his opposition to the Bill, for it said that if a Committee for the relief of these small farmers were granted, there would be 300,000 applicants. He could not think the extent of the injury would be so great. If he thought 300,000 of his countrymen would be ruined by the measure, he would give 300,000 votes against it, if he had them. He was of opinion that the time was come when this great measure ought to be settled one way or another, for he believed there was a great stagnation in every department of commerce and agriculture from the present state of incertitude. If the Government measure did pass, he trusted that the Anti-Corn-Law League would be at once dissolved. He could not help expressing his admiration at the conduct of the noble Lord the Member for Lynn (Lord G. Bentinck), who although entering into the combat at a great disadvantage, had conducted himself with such ability, prudence, and integrity, as must win for him the attachment of his own party and the respect of his opponents. He had never given a vote in the whole course of his life with more reluctance than the present for the third reading of this Bill; and he did so in order to allay the excitement which prevailed on the subject throughout the country.

MR. BENETT would not address him-

self to those calculations which had been made as to the relative price of corn in this country and on the Continent, but would confine himself entirely to one point, namely, was the measure calculated to promote the comfort of the great mass of the people? He had always said, that if the abandonment of agriculture altogether and the promotion of manufactures was calculated to benefit the mass, then he would be for the extension of manufactures and the suppression of agriculture. But he believed no such thing, and it was because he consulted the welfare of the greatest number that he opposed the present measure. It was remarkable that the free traders were only free traders in agriculture, not in manufactures; and they argued that the larger was the amount of corn purchased in foreign countries, and by consequence the less it was grown here, the greater would be the export and sale of manufactures. Now, he did not think that the evidence which had been laid on the Table of that House was calculated to show that those engaged in manufactures were in a very enviable condition. On this point he would refer to an opinion expressed by an hon. Member of that House, one who was known as a very kindhearted man, and one who had formerly advocated the free import of corn. A more kindhearted or a more patriotic man did not exist; he referred to the hon. Member for Liskeard, whose authority he was happy to be able to appeal to in support of this view. On the 27th of March, 1844, the hon. and learned Gentleman said:—

"Millions, he might say, of men had collected together for the first time in certain limited spaces; millions—not skilled artisans, but men carrying on, in their several classes, some one particular branch of industry, which they practised from the first moment at which they could work, till they could work no longer—the great mass of them, in fact, just as unskilled as the rudest agricultural labourer. Thus large masses of unskilled, needy, impoverished labourers were collected together, subjected to terrible privations and discomforts from their very agglomeration; from the same cause almost at the mercy of their employers; and from the same cause ready and apt to combine for mischief. Was this a state of things which Parliament could regard with satisfaction? Was it a good state of things? Was it better for the working people? Was it better for the rest of the community? What was the physical condition of these unfortunate people thus collected together? Was it a satisfactory one? He would not go into any lengthened details, but let him simply ask the House to remember what had been shown to be the comparative duration of life in Manchester, for instance, and in the county of Wilts, an agricultural district. In Wiltshire, the average duration of life was thirty-three years; in Manchester, it was only seventeen. He did not mean to say that this difference in the duration of human life sprung solely or mainly from the nature of factory labour; but it clearly must arise from the circumstances taken all together under which that labour was carried on in the great towns. Now, it could not be doubted that the evils of this physical condition were calculated to grow worse in every succeeding generation. A people whose life was reduced to one-half of the usual average of the labouring class by no accident, no sudden disaster, no chance epidemic, but by the constant action of circumstances unfavourable to health and longevity, were not likely to propagate a vigorous and healthy race. He thought that no Legislature could view with indifference a state of things that thus shortened human life, and tended to deteriorate the species. In some respects, no doubt, the factory labourer was better off than other unskilled labourers. But he did think that there were circumstances in that kind of labour that tended to the injury of health. The mere temperature in which they worked must tend to this result. There were these poor people working for hours and hours together, all day long, in an Indian temperature, and then turned out to go home and sleep in a northern climate. Nor was their social and moral condition at all satisfactory. No man could venture to say that they were properly educated. No man could say that their religious wants were properly attended to. No man could say that their moral condition was wholesome or natural. The mode of employment was such as to subvert all the ordinary relations of the sexes as to labour; the women and children did the hard work, the men occupied themselves with the household duties."

Such were the opinions of the hon. Member for Liskeard at the period he mentioned. Now, however, the hon. Member was changed in sentiment, and he could not but feel greatly surprised that he should now be the advocate of a system which perpetuated the evil, and caused destruction to human life. Was it not strange that the average duration of human life should be only seventeen years in Manchester, and thirty-three in Wilts? Could he support a measure which, by fostering the causes tending to depression and degradation of the population, produced the ill of which the hon. Member for Liskeard so feelingly complained? He (Mr. Benett) had always been desirous of increasing the happiness and comfort of the people; and he would say, that if effects were contrary to what he had shown to be the case of the manufacturing population—if, to be more clear, the duration of life was greater in Manchester than in Wilts, and the present system of poor laws tended to decrease that morality, most surely would he then change the views he had held so long, and vote for that system which increased life. The right hon. Gentleman (Sir J. Graham) had expressed an opinion last night which nar-

rowed this question to a simple point, and which he had delivered in that House many years before his right hon. Friend had displayed those talents which placed him in his present eminent position—that was, the promotion of the greatest happiness of the mass of the people. Could that be called a happy state in which the average duration of life was seventeen years? He would ask, too, if the misery and destitution detailed in the reports laid on the Table of the House, exhibited the happiness of a large portion of the community? The deep distress of the labourers in Dorsetshire had been brought before the country. A great fallacy, however, existed on this general subject of distress and prosperity. A prosperous and happy period may be felt in the manufacturing districts, but happiness did not consist in money only. Any man who had lived as long as he had lived, would be well informed, that seasons of prosperity did not last for ever. Great fortunes were rapidly made by manufacturers; but this could not always follow, and at last, the people would be left to starve, or else depend on the charity of the landowners. He did not find himself equal to enter as fully as others into the intricacies of debate. He was a very old man. For fifty years, at least, he had practically advocated the happiness of the people. He spoke that night, perhaps for the last time in that House; and he was desirous of knowing from Her Majesty's Government, what was the object of the measure they had introduced, and what was likely to be its result? Did they imagine that this country would go on increasing in population for a thousand years? Were the people to be forced forward to a more excessive competition than they had yet sustained? Was there to be no rest for nations? Was not this country to have any quiet? Were the people to be urged forward with railroad speed, and the Ministers to allow of no cessation? Would such a condition increase the real happiness of the community? He thought not. Manufactures might be increased until England might indeed become the workshop of the world; but would this be happiness? Great Britain was strong in her power and her glory, and, therefore, why not rest? But it appeared no rest was to be allowed. He was of opinion that the increase of trade, when founded on such a reckless principle, could only lead to speculation; and it was dreadful that the Government should not possess the foresight to perceive the end of the system they felt so anxious to extend. When the impoverished condition of the labourer was made the subject matter of debate, why not also bring the state of the Irish labourer into notice? It had been stated that a high remuneration for labour may exist with a low price of corn. This he denied. It was impossible. If the labour market could be regulated, why did not the Government apply themselves to the task in Ireland? Ireland, however, seemed the great difficulty—the Asses bridge—of the whole work. Here was the finest country in the whole world in the very depths of destitution, and no efforts ever yet made appeared to make any change in the character of its misery. As he before observed, this was probably the last time he should address the House. Allow him to repeat, that the great duty of Governments was the promotion of the greatest happiness of the people; and he was of opinion that any system which curtailed the duration of human life should not have the support of those who legislate for the country at large.

MR. PLUMPTRE had heard nothing during this lengthened discussion to induce him to alter his opinion of the experiment that the right hon. Baronet proposed to try. The Government were taking a step which, so far from approving, he very much deplored, as being rash and perilous. By the policy they were pursuing, they had divided a great party, who had heretofore given the right hon. Baronet an honest and an independent support. The confidence of that large party was destroyed, the country was thrown into confusion, and how matters were to be settled it would be impossible to predict. He remembered in the year 1835, when the right hon. Baronet sat on the Opposition side of the House, and when the noble Lord the Member for London, who was then Minister of the Crown, had proposed his Tithe Commutation Act, the right hon. Baronet had stated that he would not object to that Act, because he considered that it would provide a due and adequate provision for the clergy. Now, the hon. Member for the North Riding of Yorkshire (Mr. Cayley) had last night delivered a speech which made a deep impression upon him (Mr. Plumptre), in the course of which he stated what his calculations were as to what the price of corn would be if this measure passed into a law. He called upon the House to recollect these calculations, and to consider the situation in which the clergy would be

placed if these anticipations were realized. In 1839, the right hon. Baronet objected to the proposition of the noble Lord the Member for London upon this subject, and said that before he attempted to alter the Corn Law by the adoption of a fixed duty, he ought to alter the Tithe Commutation Act; and that he could not consider him an honest man if he did not first propose an alteration of that Act. He called upon the right hon. Baronet to take the same course now himself which he had on a former period so earnestly suggested to the noble Lord. He knew that the proposed measure might work unjustly, cruelly, and prejudicially against the tithepayer; but it would have the effect of robbing the tithe-receiver of one-third, or perhaps one-half of his income. If they took the man with only 300*l.* a year to support himself and his family now, and that this measure, if passed, would reduce this income to 200*l.*, they would be surely inflicting an act of cruel injustice upon him, which they might not afterwards be well able to redress. He would ask them whether they would now consent to alter the Tithe Commutation Act, and thereby place the clergy in that position which the Government pledged themselves they should enjoy; for the right hon. Baronet had himself admitted that they were entitled to due and adequate protection. He entirely concurred in the view taken by the hon. Member who last addressed the House, and which had before been expressed by the right hon. Baronet the Secretary for the Home Department, namely, they were bound to consider how they could best promote, to the largest extent, the happiness of the largest mass of the people. If he had not a deep conviction that this measure, instead of effecting that desirable object, would inflict the most serious injury upon the people, he would not continue his opposition to it for a single minute. He believed that they were taking steps which would most seriously affect and injure the domestic happiness of the largest mass of the people of this country. This injury would begin with the agricultural labourer; it would then travel to the small tenant-farmer, from him to the landowners, and from them to the operatives and manufacturers generally. He believed it could not be otherwise; that if they depressed the agricultural interest, every other interest would suffer also. By their present course they were about causing a larger amount of misery than they would ever have it in their power to repair. The party with which he was connected were taunted and ridiculed as hardhearted men, who had no feelings for the poor. He hoped, and trusted, and believed, that they entered as earnestly and sincerely into the comforts of those who were around them as any other class in the country. It was, therefore, because he wished to see the happiness and the comforts of the people increased, that he felt himself called upon to take so determined a stand against this measure. He believed in his conscience that, if passed, it would inflict an injury upon the poorer classes, rather than promote their interests. God forbid that he should have any selfish motives for his conduct in this matter! Upon the grounds he had just stated, he considered it to be his duty to give his most decided opposition to the measure.

Mr. HASTIE thought all the arguments against this measure resolved themselves into apprehensions of a reduction of rents. He believed it might be calculated that the average price of corn for the next ten years would be 15 per cent less than the price during the last ten years. To ascertain, as far as practicable, how rents would be affected by the reduction of prices, it would be necessary to find the aggregate value of the whole agricultural produce of the kingdom from which rent was derived, and of which corn, including wheat, barley, oats, beans, and peas, formed part. The whole rental of the kingdom was estimated at 59,500,000*l.*; the aggregate value of the agricultural produce of the country was calculated by M'Culloch, in his Statistical Account of the British Empire, at 250,500,000*l.* Of this amount, the portion made up by the price of corn would be reduced 15 per cent. It could not be doubted, though the present Corn Law was, asd escribed by the First Minister of the Crown, a most unjust law, that the landed interest viewed its anticipated repeal with a needless and irrational alarm. In his (Mr. Hastie's) opinion, should the new measure pass to-morrow, there would be no greater reduction in the prices of agricultural produce, or in rentals, than that which he had mentioned.

Sir J. WALSH said, that the House must feel much obliged to the hon. Gentleman for the details which he had furnished, and which they had in vain sought from Her Majesty's Government. The hon. Gentleman was satisfied that the landed interest had no cause for apprehension; he

could not undertake to follow the hon. Member, but it seemed to him a strong fact that the reduction in the price of corn would be fifteen per cent, according to the calculation of the hon. Gentleman. The details furnished by his hon. Friend the Member for Somersetshire, had, however, led him to conclude that the reduction would in fact be much greater; and he confessed that he was very much surprised that Her Majesty's Government had not ventured on any predictions of the same kind; but so it was: the Government had not ventured upon any such confident anticipations as the hon. Member; they had not ventured to prophesy what would be the result of their own measure. He had certainly expected from the right hon. Baronet the Secretary of State some declaration on that subject last night; but the right hon. Baronet had contented himself with impugning the data of his hon. Friends, without furnishing any better or more accurate information to the House. When his hon. Friend the Member for Somersetshire had made statements and drawn inferences, which were to his mind very clear and convincing, the right hon. Baronet disposed of them in the same summary way in which he had before dismissed his own opinions, and said, "I don't admit your data." The hon. Gentleman the Vice President of the Board of Trade had, on a former occasion, in a speech which was certainly very comprehensive, since it completed the whole circuit of the globe, endeavoured to show that there was no corn to come into this country from anywhere; but last night the right hon. Baronet had said, that the delay of this measure had caused a vast accumulation of foreign corn in this country, and that in consequence of that delay there was great danger that they might be, by an avalanche, overwhelmed when the floodgates were opened. That was rather inconsistent with the former argument of the hon. Gentleman the Vice President of the Board of Trade. The delay therefore had, at all events, this good effect—it had removed some of the arguments which, at the commencement of the discussion, were urged in support of this measure. Abstaining, however, from any prediction, the Government had still ventured to anticipate that the reduction in prices would be just enough to benefit the consumer, but not enough to injure the producer. Professing themselves to be in entire darkness as to the results of their own measure, they yet took upon themselves to assume that that golden mean would be attained. But he asked, had those discussions shown that the fears of the landed interest were groundless? Had it not been shown to demonstration, that the ordinary price of wheat in the north of Europe was about 35*s.*, and that protection, by the cost of freight alone, would not be sufficient? It had been placed beyond a doubt that the cost of transmission from the northern parts of Europe to London or Hull was less than that of transmission, inland, from one part of this country to another, though no very great distance apart. He had on a former occasion stated, that in 1843 the freight from Hamburgh was 1*s.* per quarter: that statement had excited considerable surprise, and he had since made inquiries on the subject from an extensive shipowner at Hamburgh. The answer of that gentleman, who was a warm free trader, was, that the average price of wheat, when crops were good and prices were high in England, was 35*s.*; that when there was no demand for exportation, 30*s.*, and that upon occasions of sudden demand for French consumption it might advance to 40*s.* Now, it was to be observed, that all the corn in the north of Europe was full 5*s.* a quarter better than the average price in England, so that 5*s.* must be deducted from that amount. His correspondent also stated that the first freight was 2*s.* per quarter; but that as the season advanced, vessels might probably be engaged at from 1*s.* 6*d.* to 1*s.* 9*d.* It was, however, hardly necessary for him to refer to that statement after the ample details laid before the House by the noble Lord the Member for Lynn. There was another argument triumphantly answered by the hon. Member for Shrewsbury, a favourite argument with the supporters of this measure. It was this: that the corn was so distributed that the entrance of England into the market would immediately raise the price all over the world. The answer simply was, that when supply was restricted, a sudden demand of course raised the price; but that the sources of supply being abundant, the effect of steady and constant demand was not to increase, but in the long run to diminish price. That was a doctrine which might be classed amongst those—such favourites with the right hon. Baronet—the doctrines of common sense. It was not to be forgotten that the increased means of transit by railways, for the formation of which the north of Europe was a very favourable

country, would open new sources of supply, and afford ready access to the markets of England. With regard to competition, it might be the effect of moderate competition to stimulate; but it was the effect of excessive competition entirely to paralyse. It remained to be seen to what extent the English farmers would be subjected to competition under this Bill. They were told to improve. It was said that there were boundless sources of supply yet untouched, latent mines of wealth yet to be explored; and that if they would exercise industry, talent, and enterprise; if they would discard antiquated modes, and avail themselves of modern science, they would be able to contend on terms of equality with the foreign grower. He fully admitted that there was great room for improvement; that there were many parts of the country in which the effect of improvements had been tested, and much larger districts still capable of greater improvement; but when they talked of industry, intelligence, and enterprise, hon. Gentlemen omitted one important ingredient of the process — the application of capital. Capital, and very large capital, was absolutely necessary for such improvements. It had been said, that there was no royal road to the knowledge of mathematics; and certainly there was no cheap road to the improvement of land, whether it consisted in draining, subsoiling, embanking, manuring, the making of roads, or any other process: those who engaged in it must be prepared to expend large capital. Then how was it possible that a Bill, which would expose the farmer to such competition, which would render his profits so much smaller and so uncertain—how, he asked, could such a measure operate as an inducement to the farmer to employ capital in the improvement of his farm? If the farmer held his 1,000*l.* in his hands, he had it safe; but was there anything in their legislation to induce him to part with it? He could only say, that if he were a farmer he should hesitate long before he embarked his money in so hazardous a speculation. The right hon. Baronet had drawn an imaginary line from Southampton to Inverness, and had said that the counties on the east of that line grew nearly all the corn for the consumption of those on the west: they might add to that, that the counties to the east were those in which all the great improvements in the cultivation of land had taken place. The Lothians, Northumberland, Yorkshire, Lincolnshire, and Norfolk, had been held up as patterns, and cited as examples for the rest of the country; yet those were the very counties which would be most injured by this measure: those who had laid out their capital, who had ventured to improve their land—those were the men whom they were now about to teach what it was to rely upon the faith of a British Parliament. There was one point so important that it had been touched upon by almost all those who had preceded him in the course of these discussions to which he must refer, he meant the operation of this measure on the wages of labour. The right hon. Gentlemen who supported the measure had started a doctrine perfectly novel and quite inconsistent, as he thought, with the boasted doctrines of free trade. The right hon. Gentlemen the Secretary of State had stated, that the wages of labour did not depend on the price of food. He could not understand that doctrine in a country like this; he could understand it perfectly well in a country where labour was scarce, and employers were competing for labour; not of a country like this where the labourers were competing for employment. Let them take the case of America, or the still stronger case of the island of Jamaica. There was no country in which the labourer more easily provided himself with the necessaries of life than in Jamaica—none where the employer was so much dependent on the caprice of the labourer; and there that state of things existed to such an extent that there was no proportion between the wages of labour and the price of provisions. But the case of England was quite different; the case of an old densely peopled country, in which the population had been rapidly increasing, and would increase in a still greater proportion after this measure had passed. The right hon. Baronet had referred to three years' experience on that subject; and the experience of three years had led him into error in that as in other respects. Fluctuations were quite possible; and under the influence of temporary prices, such as the formation of railways, the wages of labour and the price of provisions might not vary together; but the tendency was uniform in a country like this; in the long run the labourer must be dependent on the employer for his wages, and the employer must be able to make his own terms, and to reduce the wages whenever the price of food should permit him to do so. Great complaint had been made, that so much of these discussions had been taken

up in recrimination and accusation. He felt that he was not amenable to that charge; but, at the same time, it was a branch of the subject of very great importance; and he could not sit down, although he would avoid even a tinge of that acrimony which had not unnaturally been exhibited by some hon. Members, without expressing his sentiments on that important subject. The right hon. Baronet had thought it necessary to declare, that he had been actuated only by the most disinterested sense of public duty. To him it was not necessary that the right hon. Baronet should make any such assurance. He deplored the policy which the right hon. Baronet had adopted; he considered it a great and grievous error; but he felt the most entire conviction of the purity and integrity of the motives which actuated him. He did not say this for the purpose of interposing a Parliamentary shield, under cover of which he might launch his sarcasms at the right hon. Baronet. He said so simply because he believed it. But while he imputed to the right hon. Baronet nothing more than error of judgment, it was, in his opinion, an enormous error—one of those errors which shipwrecked statesmen, and which shook States. He could not, however, forget what they owed to the right hon. Baronet. He remembered the finances of the country re-established; the credit of the country rescued from insolvency; China pacified, and commercial intercourse placed upon a permanent and satisfactory footing; the settlement of the Maine boundary upon just terms; relations of cordial amity replacing a state of feverish irritation between this country and France; tranquillity at home, except in the unfortunate condition of Ireland; and, of late, our Indian empire confirmed by victories which had decorated the standard of our country with the purest laurels conqueror ever gathered—all these great merits he admitted; but he asked the right hon. Baronet whether to him alone was due all the credit—whether entirely by him these advantages had been achieved—whether they were not ascribable to the efforts of that great party which had placed the right hon. Baronet in power, and enabled him to wield with a firm hand the mighty energies of this great nation. The misfortune of recent events was, that inevitably, necessarily, he had broken the wand, he had destroyed the power which had effected so much good; and so completely destroyed it, that he could not see how it could ever be knit together again. This was surely a high price to pay for a measure of political economy. He deeply regretted that the right hon. Baronet should have taken a course which had created so wide a breach in the great party he had been the means of forming, not only in that House, but in the country; but he was glad to take that opportunity of stating his opinion that the adoption of that course was the result of an error in judgment on the part of the right hon. Gentleman, and one which could only be palliated by the vast amount of service he had previously rendered to the country.

MR. SHARMAN CRAWFORD said, the hon. Gentleman who had last addressed the House founded his arguments against the measure of the Government on the allegation of the immense fall which that measure would produce in agricultural produce. He (Mr. S. Crawford) wished to remind the hon. Gentleman, and the other hon. Members who took a similar course of argument, that their reasoning operated in two ways. They might show an injury to the agricultural interest by the great fall which would take place in the price of agricultural produce; but they, at the same time, taught the labouring classes the immense injury which had been done to them, and would be done to them, by holding up the price of provisions. It would impress upon that class the feeling which they had already, in a very strong degree, imbibed, that this was a landlord question, and not a question of the nation; and that by keeping up the price of provisions they were endeavouring to support the landed interest to the great injury of the masses of the community. If the hon. Gentleman's argument were correct, that the fall of provisions would be so great, was he not proving, by that very same argument, that the labouring classes would be in as great a degree benefited by that reduction of price? The hon. Gentleman who took that course of argument ought to reflect upon the injury which they might do to the interests of the great aristocracy of this country, by making the people of this country believe that the aristocracy of the country were hostile to their interests? What injury so great could be done to the aristocracy as to raise the opinion in the minds of the people that the aristocracy were the cause of the miseries they suffered? Therefore, he would impress upon those hon. Members that they ought not

to rest their arguments in opposition to the measures of the Government on the assumption that the fall of produce would be so great; for the more they based their arguments upon that position, the more anxiety they would create in the minds of the people, that that measure of the Government should become law. The hon. Gentleman talked of the importance of capital. He admitted that importance; but let the hon. Gentleman recollect how capital was created. It was created by the labour of the industrious classes; that labour was the origin of all wealth and prosperity; and therefore those classes were entitled to the highest degree of respect. Would the argument of the hon. Gentleman be an answer to the starving labourer who could not obtain the provision which was necessary for the subsistence of himself and his family? Would such an argument as that raise the aristocracy of England in the affections of the people? He would say, that the great object of the aristocracy of this country should be to supply the people of England, the mass of the community, with the necessaries of life on the cheapest terms; and every act of legislation which would stand between the people and cheap food, was an injury which the people of England could never forget or forgive. Some hon. Gentlemen talked of the wages of the labourer falling with the price of provisions. That argument had been raised over and over again, and it had been shown over and over again that wages did not fall proportionably with the price of provisions. He would not contend that the price of provisions might not operate in some degree on the rate of wages; but statistical returns proved that wages were higher in proportion when the price of food was lower. Therefore, wages were in a better condition when food was cheap than when it was dear; that had been proved over and over again by information that could not be refuted. The principal reason that had induced him (Mr. Crawford) to rise on this occasion, was to reply to certain arguments that had been reiterated on the opposite side of the House, and answered over and over again with regard to the condition of the people of Ireland. It had been asserted that there was no real distress in Ireland. He (Mr. Crawford) begged leave to contradict that assertion: there was great distress in Ireland. He admitted that, in the most distressed parts of Ireland, the markets did not show that distress in the manner which some persons might expect. In some of the most distressed parts of Ireland, the price of potatoes and provisions had not risen proportionably to that distress. Why had they not risen? Because the people were not in a condition to buy food. The people who depended upon their own produce, being deprived of it, could not go into the market to buy produce; but in the part of Ireland where the people were in a condition to buy produce, as a substitute for the loss of their potatoes, the markets had risen to an intolerable pitch. He would refer, for instance, to the market of Belfast, and to that part of Ireland. In Belfast the market had risen to *5s.* and *5s.* 8*d.* per cwt.—a price which should be a starvation price; oats had risen to 10*s.*, and oatmeal had risen to *7s.* Within the last few days, a meeting was called in the town of Downaatrick, for the purpose of providing food for the distressed inhabitants; and a resolution was passed, that the unusually high price of potatoes, which was likely to increase during the summer months, was such as to call for public attention. Here was a proof that, in the very best part of Ireland, where labour was best requited, the distress was great; and if distress existed in that part of Ireland where people were in so much better a condition than in other parts, what must be be the distress in those other parts where neither wages nor employment could be supplied? He would unhesitatingly say, that distress to a vast degree was almost universally prevalent in Ireland; but, at the same time, he admitted that, from the causes he had stated, the markets in some places did not exhibit distress in that degree that might be expected. He (Mr. Crawford) also unhesitatingly stated it to be his opinion, that it was the interest of all classes that cheap food should be supplied to both English and Irish. He agreed with the general feeling of the people, that this could be considered as nothing but a landlord question; and he (Mr. Crawford) felt that the landlords could never have a just security for their existence and prosperity, except it was founded on the prosperity of the people. He (Mr. Crawford) was of opinion there would be no reduction in the price of produce which could not be compensated for by a fair reduction of rents by the landlord. At the same time, he did not expect that a very great reduction of rents would be necessary. He thought the improvements that would be effected in producing agricultural produce

would be such as to render very little reduction necessary. As a landlord, he (Mr. Crawford) did not care what the reduction might be that would be necessary. He should not stand against the true interests of the people and the nation; and let the landlords be affected by it as they might, he felt it was his duty to give all the support in his power—not only as an Irish proprietor, but as an English representative—to the measure proposed by Her Majesty's Government.

MR. F. SCOTT said, four months had now elapsed since those measures had been introduced, and he had waited patiently in the expectation that Her Majesty's Ministers would have given some other reason for bringing them into that House, than those which had been successfully combated by those very Gentlemen, when propositions of a similar nature emanated from hon. Gentlemen who usually sat on the other side of the House. He had expected that some reason would have been given for the change which had come over the minds of those right hon. Gentlemen, and which should induce them to falsify all their professions, to abandon all their former opinions, and cause them to turn renegades to those opinions, the free expression of which had obtained them their seats. He had seen nothing happen during any month of the present year which could induce him to say that the right hon. Gentlemen had been wrong in the whole of their anterior policy upon the Corn Laws. Undoubtedly they had raised the cry of famine in Ireland, knowing well that no Gentleman in that House could hear that cry without feeling a deep sympathy for those who were labouring under the pressure of want; but he did not think that they had successfully proved that case. Their defence of the measure—a measure which was wholly uncalled for—was full of inconsistencies. They had put it forth, that the supply of grain in this country had been for some years insufficient for the supply of the people. Why, the returns which were on the Table of the House proved that the supply of corn had been fully adequate to feed even our largely increasing population. Then they were told that our acres did not grow with the population. He maintained that in Canada and in Australia our acres grew far faster than the population—those, and other possessions of the Crown, were waiting to pour in their wheat into our markets, while, at the same time, they were ever ready to receive a large supply of our surplus labour. Under the protective system our agriculturists had doubled the produce of the soil. True, the right hon. Secretary for the Home Department said, that under that system wages were low in Dorsetshire; but he knew that in his own county the rate of wages was double what it had been stated to be in Dorset. But if protection lowered wages in Dorsetshire, what was it that raised them in Lincolnshire, and other counties he might name? It was said that protection left barren the downs of Wiltshire; ay, but it drained the fens of Lincolnshire, and fertilised the hills of Scotland. It was said, that protection swelled the pockets of the landlords; and yet those who said this, had stated also that there was no investment which brought so small a return as an investment in land. It was alleged that it interfered with the commerce and interrupted the manufactures of the country; but when had commerce and manufactures made such rapid strides as in the last fifteen years? When had profits been so great, or when had machinery displaced so much human labour? And, lastly, they were compelled to say, that the protective system rendered prices unsteady. What were the facts? Why, it was proved by returns then on the Table of the House, that in no country in Europe had the price of corn been so steady as in England. How was it possible they could be asked to give their support to a measure which required to be defended by such inconsistent arguments? To defeat the measure, at least to upset all the arguments by which it was supported, it was only necessary to revert to those used by the right hon. Baronets now sitting on the Treasury benches, when they so successfully opposed the continued Motions brought forward by hon. Gentlemen opposite. This question was professed to have been brought forward in consequence of the condition of Ireland. Now, he sympathised deeply with the sufferings of Ireland, as an integral portion of the British Empire; but this measure was calculated to cause increased detriment to that country, and to deprive her of many advantages she now possessed. But they had failed to show any connexion between the disease which afflicted Ireland, and the remedy proposed; for the disease was immediate, and the remedy was remote. How could they maintain, too, protection to the manufacturing interest to the extent of ten or fifteen per cent; and yet, when husbandry employed more than double the

number of people employed in the silk, the linen, the woollen, and the cotton trades, deprive it of all protection at the expiration of three years, and give it a very moderate protection during the continuance of those three years? If protection was bad for any interest, it was bad for all; and all the land asked was, evenhanded justice for all; and that they trusted they should obtain. He knew the agriculturists of this country well, and his belief was, that in no class of the community was there more intelligence; whilst he was persuaded that there were no men more willing to bear their fair share of the public burdens, or to make any sacrifice for the public weal. He believed that when the Government sought to interfere with protection to agriculture, they were about to distort and disable one of the strongest limbs of the State. By the present measure, they were about to fetter agriculture, and mock the farmer with compensation; and having stripped him naked, expose him to be the laughing-stock of all the world. If they were to have free competition, let them have it free and fair. Let them use malt for the fattening of cattle—let them be free of the malt tax, and let them, without stint, cultivate their land as they liked—let them cultivate tobacco and other productions likely to yield an adequate return to the grower. But then it might be said, "We cannot afford to make so great a sacrifice of revenue." But the corn-grower was sacrificed all the time, and his interests disregarded. He begged of the Government to make another sacrifice, and render the agriculturist justice for the injustice it had inflicted upon him. The present was not a question of merely landlord and tenant, but a question, and a material question, that affected alike the artificer, the operative, and the manufacturer. These were times of significant moment, when iron, steel, and fire, were taking the place of muscle, bone, and sinew. They were legislating too much for furnaces, and too little for land. They were displacing the labour and the sweat of man's brow, and replacing it by infant toil and premature decrepitude. The present were not times when a Government ought to take further measures to displace further labour, or to adopt any course that might have the effect of reducing agricultural and other labour, by throwing the poorer soils out of cultivation, and thus leaving it to the dictate of the manufacturer to settle what amount of wages it might suit his caprice to give; and also to induce foreign countries to take more of our manufactured goods than they might otherwise be disposed to do. His opinion of free trade had always been an interchange of various commodities, the productions of foreign countries, upon equal terms. But let them contrast Russia, who met us with a hostile tariff, and China, with which we had such extensive mercantile transactions. Much had been said about the expediency of reducing the duty upon all the articles that entered into general consumption, and were to be regarded as necessaries of life; but in the calculation of what articles could be styled necessaries, he would inquire whether tea was not a necessary article of life. It was quite true it was not an article of universal consumption (he wished it was so); but if the duty of 225 per cent on the value were taken off, it would be a real boon, productive of great benefit, and tend to improve the morals and conduce to the comfort of the humbler classes. The reduction of the duty on tea would also tend to the prosperity of our Colonies, as it would undoubtedly cause an increased demand for sugar. But then again, it would be said that the requirements of the State could not afford so great a reduction of revenue as that which would ensue from the total abolition of the duty on tea; and that a measure so likely to be productive of advantage not only to great class of the community, but to our colonial possessions, could not be carried out. Surely this argument was a proof that this so much talked of "free trade" was a boon to foreign countries, and was calculated to tell against our own Colonies. If free trade were to be introduced at all, let it lean to our own Colonies, and not to aliens and strangers. He should like very much to know how this bastard free trade would affect the Colonies. The success of our colonial possessions, in his opinion, depended to a great extent on the maintenance of protection. Our colonial possessions were the most extensive in the world, and it was a matter of the first importance that they should be bound to us by ties of reciprocal advantages, as well as by international laws. Had Mr. Pitt lived, he would have urged, as that great statesman the elder Mr. Pitt had done, the importance of such a proceeding. What had the latter said, speaking of the Colonies—

"We have bound our Colonies by our laws, our regulations, our trade, our navigation, our manufactures, and everything; and how can we abandon

protection?—I care not whether by a military force, or protection in the every-day transactions between the mother country and the infant State in commerce—but how can we compel obedience if we abandon protection? If the Colonies fall, they will fall like a strong man embracing the pillars of the State, and pulling down in their ruin all constitutional law."

It was his opinion, that as long as England enjoyed the colonial trade she at present possessed, it would be little short of madness to hazard, by the introduction of such a measure as that now proposed, the connection between the mother country and her possessions. Let them see what Canada would say: "You impose rules and restrictions on me; you quarter troops upon me, and when I ask leave to send you all I have to send—my wheat and my timber—you reply, the Baltic is near at hand, and we will rather take timber from it; it is true, you are mild and meek, and the Baltic is unstable, but still we would rather deal with it." Thus it would be with the West Indies, and thus it would be with Australia, which fain would be made the receptacle for the villany of this country, without giving it any countervailing advantages. This would be the feeling which would be excited throughout the Colonies, if a measure tending to withdraw protection received the sanction of the Legislature. If they were resolved to have free trade, let them have free trade with the Colonies, and thus maintain their commercial and maritime superiority to any other nation in the world. He believed the feeling hitherto with respect to the proposed Ministerial measures was, that there had been a gross dereliction of duty on the part of public men, and that a feeling prevailed, that, however desirable a reduction of some duties might be, a total abolition of the duty on foreign corn would be productive of the most disastrous consequences. He also knew it had been said, that oft-repeated professions had been violated—that sacred pledges had been broken—and that confiding constituencies had been betrayed. He also knew that when the husbandman would be thrown out of employment, and the artisan and the operative reduced to distress—that when capital became unproductive, and there would be a necessity for direct taxation—that when those and other ulterior consequences would result, as unquestionably they must—he well knew upon whom the nation would throw the heavy responsibility of a measure carried against the sense, as it was against the interests of the country, by a strange coalition of discordant and distrusting parties.

LORD BROOKE said, he intended to give his vote against the measure of the right hon. Baronet, and he must contend that on the first showing of it the principles involved in it were such as to well warrant the most strenuous opposition on the part of hon. Members in that House. The present measure was proposed as an experiment; but he considered that the Government were not justified in trying experiments which might be attended with the most injurious and disastrous effects. It was an old saying that a man's character might be known from the company with which he associated; and applying this test to the First Lord of the Treasury, with reference to the present measure, he found that his coadjutors in its support in this country were men of the most extreme opinions; and in Ireland its most strenuous advocates might be found among those who were clamorous for a repeal of the Union. He did not attribute to the right hon. Baronet any sympathy with the extreme opinions of these persons; but he regretted to see the right hon. Gentleman co-operating with such individuals in promoting measures, the success of which they believed would enable them to carry out their own extreme principles. The right hon. Home Secretary had said that one great object of this measure was to prevent fluctuations in price; but between 1770 and 1790, the fluctuations in the price of wheat had been much more considerable than under the present system of Corn Laws. It could not, therefore, be said with justice that the present Corn Laws had been the cause of this fluctuation. He would give his hearty opposition to the Bill, which he believed would most injuriously affect the interests of landlords, tenants, and all persons employed in agricultural pursuits.

CAPTAIN VYSE considered it due to his constituents to give expression to their opinions on this most important question. He must say that his opinion of the fallacy of free-trade principles had been strongly confirmed by the observations which, in the course of this debate, had fallen from several hon. Gentlemen on the opposite side of the House. They had been told by the right hon. Baronet at the head of the Government that the reason for introducing this measure was the state of Ireland; and he (Captain Vyse) had heard no other reason assigned for its introduction. Now, he believed there were proofs enough, for

they had never been answered by Her Majesty's Ministers, that notwithstanding there might be distress in Ireland, that distress did not exist to the extent represented by the Government; and he was at a loss to know how a repeal of the Corn Laws which was not to take effect for three years to come could ameliorate a present pressure in Ireland. That House was now called on to vote for a measure, which no country under heaven had ever thought fit to adopt. They had been told that the people of this country were in favour of free trade; but the soundness of that assertion he begged most distinctly to deny, and he believed that the measure of the Government would be found in operation not only injurious to the agriculturists, but also to the poor man. The country had been deceived, for the Prime Minister, instead of conducting the Government on the principles which he formerly professed, had changed his policy. But the protectionists, though deserted by the Minister, had still a leader deserving of their confidence; they were not dismayed, but would stick to the last plank until the vessel foundered.

Mr. SEYMER wished, as a representative of an agricultural district in this now no-longer-to-be agricultural country, to address a few words to the House. It had been stated by his hon. Colleague in the representation of Dorsetshire, that in those cases where the money wages of the labourers were 7*s.* a week, the labourer also received an additional allowance, such as house-rent and fuel free; and he estimated the whole actual wages received as amounting to 9*s.* a week. The right hon. the Home Secretary had, however, misunderstood that statement, and had argued that the money wages being 7*s.* a week, there were to be deducted from that 1*s.* 6*d.* for house-rent, by which the right hon. Gentleman reduced the labourer's wages to 5*s.* 6*d.* or 6*s.* a week. This was a mistake on the part of the right hon. Gentleman, and was contrary to what his hon. Colleague stated, as he (Mr. Seymer), sitting near at the time, could testify to. He did not mean to say that the remuneration of the labourer was as high as he could wish; but he had yet to learn how the measure of the Government could operate as any remedy in reference to low wages. He gave every credit to his hon. Friend the Member for Shaftesbury (Mr. Sheridan) for his exertions in the cause of the labourer; and he was glad that that hon. Gentleman thought they (the protectionists) did, and would vote with them on this occasion. If he (Mr. Seymer) could agree with the right hon. Baronet the Home Secretary, that the inevitable tendency of low prices would be beneficial to the labourer—if he did not believe that there was a broken link in the argument which the right hon. Gentleman thought so conclusive—if he did not know that in those countries from which cheap corn would come, the condition of the labourer was inferior in every respect to that of the English labourer—he might be induced to vote with the right hon. Gentleman on the present occasion. Having said this much, he would address a few words to those hon. Members upon his side of the House who supported the measure of Her Majesty's Government. It was by the votes of those Gentlemen, the friends of agriculture as he was willing to believe them, that the present measure must be carried. There had been no great change in the position of political parties in this country. The Anti-Corn-Law League had been remarkably unsuccessful in their elections. The one great exception of which they boasted was mainly to be attributed to the well-deserved popularity of the noble Lord, who on that occasion consented to be their candidate; therefore he contended that if this question was carried at all, it must be carried by the votes of hon. Members on his side of the House, "friends" of agriculture. The question he would ask these hon. Gentlemen was this: would they have supported this measure had it been proposed by the noble Lord the Member for London? Some of them had said they would not have supported him; "but," said they, "we have confidence in the right hon. Baronet, and we have not confidence in the noble Lord." Let the House have a clear understanding upon the principal point of difference between them. When they said they had no personal objection to the noble Lord, he agreed with them there were nothing in his personal character to justify any personal objection. His objections were of a purely political character. The great Conservative party withheld their confidence from the noble Lord, because they differed from his political views, more especially at the last election, because they thought they perceived in his measures a tendency—merely a tendency—to the doctrines of free trade. And were they to support or give their confidence to the right hon. Baronet, when he absolutely proposed this very measure, the mere tendency to which was a reason for their withholding

their confidence from the noble Lord? The hon. Gentlemen would perhaps say, "The right hon. Baronet is such a delightful Minister for keeping up the price of the Three per Cents." That might be a very important advantage. He (Mr. Seymer) was afraid country gentlemen were not so much concerned as they wished to be in the doubtless important question; but the political character and consistency of public men were of still greater importance, for unless that were kept up, in the long run they would not be able to keep up the price of the Three per Cents. Having said this much upon the general question of confidence, he would address one or two more interpellations to hon. Gentlemen on his side the House upon the arguments by which they were enabled to support the right hon. Baronet's measures. One argument, of great weight, which they used was, that there might be a reduction in price, but that was made up by increased production. He did not know whether hon. Gentlemen were aware, but he believed it to be true, in his neighbourhood at least, that those persons who were good farmers had the most sympathy, but those who were very bad farmers got no sympathy, let them grow as heavy crops of corn as in this uncertain climate it was safe to grow. Hon. Gentlemen would understand him when he said that the heaviest and best crops were most liable to injury from the uncertainty of the climate. During last summer he saw some of the most splendid crops of corn laid flat and rotting upon the ground in a very short time. How were these farmers to be compensated for the loss of price by increased production? And it was this uncertainty which distinguished agriculture so much from manufactures. The manufacturer bought a bale of cotton, he put it into his mill, and he was quite certain it would produce a given number of yards of calico; if he overstocked the market it was his own fault, but his stock would keep good. But what was the case of agriculture? Why, in spite of his farming, and of the expense to which he had gone, all his hopes of a crop were blighted by five hours' rain or wind, and he sighed in vain for a return for his labour and capital. Yet it was said, "You must apply exactly the same principle to agriculture as to manufactures." He did not say this was a proof that different principles should be applied; but it was an *à priori* argument that two lines of business, placed under such different circumstances, should not be legislated for exactly upon the same principles. This uncertainty of agriculture had always appeared to him a justification of that sliding-scale which was now abandoned by its author. The sliding-scale appeared to him to provide that the farmer should not be ruined by a succession of bad crops and low prices; at the same time it stepped in and said, "You shall not, in consequence of your bad crops, raise the price to such a decree as will injure the consumer." Its operation was to allow foreign corn to come in in proportion to the scarcity. It struck a happy balance between the interests of the home grower and the consumer; and although it had been abandoned by its author, it was upon the whole suited to our condition. On this point he was aware he should be met by the political economists. It was a great misfortune to the political economists that the discussion of this question had arisen, for they had for some time past been losing ground. Their doctrines, as applied to practical legislation, had been losing ground. The strong hold which they had from ancient habit in that House, was shaken. They had abandoned their principles with regard to mines, railway legislation, and labour in factories; but they were seeking to apply them in all their integrity to corn. Admitting the truth of the doctrines of political economy (and that was admitting a great deal), it appeared to him those who held them were not agreed upon their definitions. One man who wrote one book would give one set of definitions, whilst another would give a different set; and they had no agreement. Their terms were not defined, their axioms were not universal, and their elementary propositions were not proved. It was a great question whether their doctrines were applicable to this country. The political economists and the right hon. Baronet, who represented their opinions, said, "The principles of free trade are principles of common sense;" but did "common sense" ever anticipate the case of a nation with a debt of 700 millions, the interest of which common honesty required us to pay? Then they said, "Every country ought to stand upon its natural advantages, and we must have a natural state of trade." What were the natural advantages of England? It possessed abundance of coal and iron, and a temperate moist climate. There was no room for corn growing here. This, in former days, was the opinion of the politi-

cal economists, when they did not think their doctrines would ever be brought into practical operation. They used to say this ought not to be a wheat-growing country, the climate and soil not being adapted for it: now, when they were nearer their object, they told us all these free-trade measures were brought forward with the view of doing good to all classes of the community, and the agriculturists among them. He could not help thinking that the language of the right hon. Baronet, with regard to commercial treaties, had of late savoured of the sour grapes. He recollected the time when the right hon. Baronet was most anxious to enter into them; but as soon as he found he could not he said, "Never mind the exports, but only the imports—the exports will take care of themselves." Were not our merchants and manufacturers better judges than the right hon. Baronet on this subject? Suppose the French conquered Morocco, there was a probability that some new regulations would be made with England with respect to Morocco. What would the merchants and manufacturers do? They would go to the Foreign Office, and beg attention to what was going on. If the principles of free trade were worth anything, it did not signify so long as we were allowed to import the produce of Morocco what restrictions the French might introduce into Morocco upon British commerce. As practical men, he begged the House not to be imposed upon by the scientific jargon of the political economists. One other point he wished to touch upon—the prospect of the reduction of wages under a system of free trade. The great argument which was formerly used by the free traders was, "We are now in a critical state of manufacturing industry—the foreigner is running us very hard—we want to get cheap bread in order to lower the cost of production." What was the meaning of "lowering the cost of production?" Why, lowering wages, to be sure! Now it was said that trade in corn would give a steady export for our manufactures. When we could command the seasons, we should have a steady trade in corn, and not till then. Admitting that the measure of Her Majesty's Government passed, and that we got our corn from foreign countries, he presumed the trade would follow its natural course, and that those foreigners who could supply us cheapest would supply us to the exclusion of the British agriculturist. It was said that we could not be rendered independent of foreign supplies. He had no objections to a reciprocity with foreign nations; but he thought that when persons said we could not be independent of foreign nations, they forgot the Colonies. He thought that if the Colonies were properly attended to, we might be rendered independent of other countries; and it appeared to him that the right hon. Baronet himself at one time entertained a similar idea, and contemplated a sort of English Zollverein; but that idea had been altogether forgotten. If the pure principles of free trade were established, of what use, he would ask, were our Colonies? In such a case, all that we should require would be a few stations for our shipping; that is to say, in case we retained any commercial marine after such an occurrence. For with such a state of things, our Colonies would be a useless and expensive burden to the mother country. The next subject to which he should allude, was one that had been very frequently brought forward as bearing upon the question of the Corn Laws—he meant, the failure in the potato crop. He never had underrated the importance of that failure in the potato crop; and in his opinion, it had nothing to do with the case of protection. He never thought so, and he never underrated the importance of the failure in the potato crop; and he could add, that he thought the right hon. Baronet was right when he proposed to meet the apprehended scarcity by opening the ports. In his own neighbourhood, potatoes were selling at the usual price; but that fact did not alter his opinion of the proposition of the hon. right Baronet to open the ports; for when he considered the position in which the right hon. Baronet was at that time placed, with accounts constantly reaching him from all parts of Great Britain and Ireland in November last, and having the responsibility of providing food for so many, and of preserving tranquillity in the country, he thought the right hon. Baronet was perfectly justified in the proposition which he made to open the ports, as a preparation against apprehended scarcity from a failure in the potato crops. But if he thought the right hon. Baronet was justified, what was he to think of his Colleagues who overruled him? They must have been in November last strong protectionists—stronger than he (Mr. Seymer) should have been under similar circumstances; and he need not remind the House that those Gentlemen were now the advocates of a total abo-

lition of the Corn Laws after the expiration of three years. He did not mean to impute motives to those Colleagues of the right hon. Baronet: no one would dare to impute unworthy motives to the noble Duke in another place, who approved of that change; but he could not understand their conduct. The right hon. Baronet had expressed his opinion, that if he opened the ports on that occasion, he would not close them again; and in that opinion he thought the right hon. Baronet was wrong. The right hon. Baronet had admitted that changes had taken place in his opinion since his first introduction of the question, and in that respect he illustrated a well-known principle in human nature, according to which persons became attached to that for which they had made sacrifices; and he believed that the sacrifices which the right hon. Baronet had made with respect to this question, had been greater than was anticipated. He brought forward the measure on the ground of policy; but he found himself opposed by 240 Members of that House, and then he raised it into a question of justice; and if he found hereafter that the opposition to it in another place should be still more determined than that which it had met with in this House, he might raise it, as some reverend orators at Covent Garden Theatre had done, into a religious question. But whatever might be the changes in the views of the right hon. Baronet, the question itself remained the same. It was no more a question of religion or justice now than it was last year. It was a question involving great commercial and social considerations, but was no more a question of justice or religion than the duties on hair powder. Unfair allusion had been made by the hon. the Secretary at War to the speech of the hon. Member for Oxfordshire; but the gist of the hon. Member's statement was, that the prospect of prolonged life was greater in the agricultural than in the manufacturing districts. That was a valuable test of the physical condition of the people. But he would suggest another test, which, from the office which the right hon. Gentleman (Mr. S. Herbert) held, might have some influence with him, namely, the recruiting officer's test. He would not ask from what district the greatest proportion of recruits came; but he would ask if any village in Wiltshire or Dorsetshire could not furnish a greater number of adult males capable of serving in the army, than any population of the same extent in the manufacturing districts? Now, he was strongly of opinion that the duration of life and the capability of serving in the army, formed two excellent tests of the physical condition of a population. In these the agricultural districts had the superiority; and he was of opinion that the comparison would be also favourable to them as regarded the great social advantages. He gave no credit to the farmer in consequence of the employment to which he put his labourers being of a healthy description; nor did he attach blame to the manufacturers because the labour at which their operatives were employed was not so favourable to the duration of human life as that of the agricultural districts; but when the House of Commons was called upon to consider such a question, they had a perfect right to consider the comparative effects of agriculture and manufactures on the physical condition of the labourers. Assuming that this change was made in deference to the manufacturing interests, he would remark that they were far from being unanimous in its favour. And here he would observe, that as regarded the manufacturing interest, the sooner the question of the Ten Hours' labour was settled the better; for to that measure the great body of the operatives were much attached; and it might be attributed to that very circumstance that so many of them became converted to the principles of free trade in corn. He would tell the House how that change was effected. The operatives got the notion into their heads that many of the agricultural Members in that House had rescinded their votes on the factory question, with the view of keeping in office the right hon. Baronet. While he could not very accurately tell whether the motives attributed by the operatives to such hon. Members were accurate or not, yet he would say that any hon. Member who rescinded his vote on that question, and with such a view, would soon discover that he had committed a most egregious mistake; for the feelings of the manufacturing operatives have been thus more than once expressed: they said, "If the question of the Corn Laws was to stand in the way of the Ten Hours' Bill, they would rather throw the Corn Law question overboard, than be deprived of what they esteemed a favourable regulation of labour." That was one great reason why so many of the operatives had fallen in with the cry which was raised against the Corn Laws. He was now drawing nearly to the close of his address,

and he sincerely thanked hon. Members for their attention. ["Go on."] He would, then, detain them on one or two points which appeared to have produced some weight during the discussion. Persons were struck with the statements that had been made, that since the agitation of the Corn Law question, small farms in Scotland had greatly increased in value. He had it in his power to give the true solution of the case. Persons held farms in Scotland for a certain number of years, say for a period of twenty-one years: those individuals possessed not only capital, but they had that skill in the management of their farms which made them most productive; there was also a considerable outlay in the erection of the necessary buildings; in fact, the farms were so greatly improved in every respect, that when at the expiration of the lease they reverted to the landlord, he had it in his power to re-let them to other farmers of capital and of industry, and at an increased rent; so that if any change of this sort had taken place during the discussions on the measure now before the House, the increased value of the farms was not to be attributed to the introduction of that measure, but it was to be attributed to a circumstance which always existed, namely, the improved condition of the farmer and all the appurtenances. Another argument had been urged, that the price of land in the market had not fallen because of the introduction of the Corn Importation Bill. Assuming that to be a fact, yet it would not prove the case for which it was adduced. But why was the price of land kept up? An individual, suppose a millionaire, lived in the city of London, of whom so very little was known, that had an omnibus prostrated him in the public streets he could not be traced, unless he had his cognomen on a card; but that person wished to be somebody; he could not be so in his own locality—he considers over the matter, and having come to the determination to go down to the country to purchase an estate, he did so, and all at once became a gentleman, a country magistrate, or perhaps a deputy lieutenant. He attends the sessions, presides at grand juries—and thus, in the country, he was found all at once a *novus homo*, an aristocrat. Well, as he must pay for all the advantages, it could not be expected the price of land would fall, such aspirants being the purchasers. It was also to be considered that a vast improvement in the land had taken place, because the farmers were thoroughly convinced in their own minds that the settlement which had been made in the Corn Laws would be lasting and permanent; at least that it would be so for a very considerable period of time. Certainly the poor farmers never thought that those laws would be first disturbed by their own promoters. An improvement also in many places was owing to the praiseworthy exertions of the Royal Agricultural Society of England. But before concluding he must advert to an observation which had been made by the hon. Member for Stockport, who said, that the farmers were all on his side; but how that hon. Member could, after recent elections, make such an observation, he could not well understand. But the observation he intended to retort on the hon. Member was, that the farmers, to convince the landlords, should toss them all in a blanket. He was sure the answer of the farmers to that appeal would be the expression of their assurance that it would afford them great gratification to associate the hon. Member in the operation. But he would hurry to a conclusion—as he was not vain enough to think that any argument he could advance would produce its due influence; what he had stated, however, ought, in his opinion, to convince any reflecting mind that there were just, strong, and cogent reasons to withhold all assent from that fatal measure which had been introduced by Her Majesty's Government.

Debate adjourned.

House adjourned at half-past Twelve.

HOUSE OF COMMONS,

Wednesday, May 13, 1846.

MINUTES.] PETITIONS PRESENTED. By Mr. James Morrison, from Electors and other Inhabitants of the Royal Burgh of Forres, complaining of refusal to grant Sites for Churches to the Free Church (Scotland).—By Mr. Brotherton, Viscount Ebrington, and Mr. Pulsford, from the Inhabitants of Alton, Over Darwen, and Hereford, for the Adoption of Measures for promoting the more Due Observance of the Lord's Day.—By Mr. Wykeham Martin, from Catholic Inhabitants of the Town of Newport, and by Mr. Bouverie, from Secular Clergymen and Laymen of the Town of Dumbarton, in favour of the Roman Catholic Relief Bill.—By Sir Philip Egerton, from Inhabitants of the Parish of Malpas, and by Mr. Dugdale, from Coventry, against the Union of St. Asaph and Bangor Dioceses.—By the Earl of March, from Ratepayers of Bosham, for Repeal or Alteration of the Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Colonel Fox, from Saint Leonard, Shoreditch, for Alteration of the Poor Removal Bill.

ATTENDANCE ON COMMITTEES.

MR. GISBORNE said, that he had been summoned to attend on the Com-

mittee of the Liverpool Waterworks, and he was anxious to have the benefit of the Speaker's advice as to whether he was to attend the debate in that House or to sit on the Committee. The latter body was composed of but two or three Members, and if he were to absent himself to-day, the Committee would be broken up. He was anxious, however, to be present at the debate on the Factory Bill, and he really felt himself in a position of great difficulty as to the course he should adopt. The present system of things was one which was calculated to cause much perplexity and difficulty to Members, and loudly called for the correction of the House. Unless the House would make some new regulation, it would be extremely difficult for Members to discharge their duties with satisfaction either to themselves or their constituents.

SIR GEORGE GREY thought that hon. Members should be permitted to exercise their own discretion as to whether they would attend on Committees or in that House. No doubt much difficulty and perplexity must arise to honourable Members when that House and the Committees were sitting concomitantly; but the best plan was for Members to act according to the best discretion in making a selection. Looking at the great importance of the question to be debated to-day, he did not think that any hon. Member could be censured if, when put to the alternative, he preferred attending in the House to sitting in a Committee. The better course would have been for the Committee, perhaps, to have adjourned over.

MR. BERNAL contended, that it was highly inexpedient and improper to throw upon Members the responsibility of determining whether they would attend in that House or sit in Committees to which they had been summoned. The House ought, unquestionably, to make some rule or regulation on this subject, and not place individual Members in the odious and invidious position of determining, by the exercise of their own discretion, whether they would attend that House or on Committee. It was certainly a matter of great delicacy and difficulty for a Member to absent himself from a Committee, and thereby cause great delay to public business, and perhaps an expenditure of four or five hundred pounds to parties who were interested in promoting or resisting railway or other Bills; but, on the other hand, a Member's duty to his constituency might render it imperative that he should attend the House. The House ought to take this matter into consideration, and make some rules to facilitate the passing of private Bills.

MR. SPEAKER begged leave to remind the hon. Member for Nottingham (Mr. Gisborne) that there was no question before the Chair. If the hon. Gentleman had given notice of his intention to propose any resolution in reference to this matter, the whole subject might have been formally discussed; but, in the absence of any such notice, the discussion was irregular. The hon. Member's attendance was not compulsory, and the better course was that he should act according to his own discretion.

Subject dropped.

THE TEN HOURS' FACTORY BILL.

The Order of the Day for the resumption of the debate on the Ten Hours' Factory Bill having been read,

MR. COLQUHOUN said, he was anxious to explain the considerations which prevailed with him in inducing him to give his support to the Motion that the Bill originally introduced by Lord Ashley, and now, in the absence of that noble Lord, brought forward by his Friend the hon. Member for Oldham, be read a second time. Before doing so, however, he must be allowed to express the surprise with which he had listened to a statement made by his Friend the right hon. Baronet the Secretary of State for the Home Department on the last day that this measure was under discussion, to the effect that the House had never pronounced any opinion in favour of the Ten Hours' Bill. This statement struck him as extraordinary, and appeared to him to be scarcely consistent with the facts of the case, for he had a distinct recollection that when Lord Ashley made a Motion by way of Amendment to a twelve hour clause, introduced by the right hon. Baronet himself into a former Bill, limiting the restriction to ten hours, the right hon. Baronet admitted, in almost as many words, that the decision at which the House on that occasion arrived was a formal affirmation of the principle of the Ten Hours' Bill. Whether the House were right or wrong in pronouncing that opinion, he would not just at that moment pause to consider; but that they had come formally and deliberately to a decision that it was desirable to abridge the hours of labour, in the manner proposed by Lord Ashley, was abso-

lutely certain. The right hon. Baronet (Sir James Graham) had justified his opposition to this measure on the plea that if it were to receive the sanction of the Legislature it would affect most injuriously our four great staple branches of manufacture —cotton, woollen, silk, and linen; but he could not bring himself to believe that it would have any such consequence. If he thought that the great staple manufactures of this country, or any of them, could be prejudiced by the further restriction of hours of labour, he could not, on any consideration, be induced to consent to the Bill of the hon. Member for Oldham; but he was convinced it would have no such tendency. For many years he had voted against the Motion of the noble Lord the late Member for Dorsetshire; but the experience, not of three only, but of very many succeeding years, had now served to convince him that it was an error to entertain any apprehension of evil consequences either to the employer or to the manufacturer from such a Motion. The experience of past years had demonstrated that the various branches of manufacture in this country had not suffered from the restrictions of the time of labour which had been already imposed, but that, on the contrary, signal advantage had accrued, as well to the employers themselves as to the employed. The honest and humane manufacturer knew that he would be benefited by the rational restriction of labour, and consequently did not resist it. It was only the hardhearted and unfeeling amongst the manufacturers who systematically opposed the principle, and clamoured for the continuance of those extravagant hours of labour which were so much and so justly complained of before the Act of 1833 was brought in. He was sure he was quite warranted by the fact in asserting that the good and the humane amongst the manufacturers were strongly in favour of the restrictions on the hours for labour which had already been imposed by the Legislature. The question now really to be decided was, not the theoretic one whether it were desirable to restrict the hours of labour or not—that principle had been already practically affirmed—but whether things should continue in precisely their present position, or the restrictions which had already been imposed be extended and rendered more stringent. That was in fact the real question at issue. In his opinion, the experience of the past fully justified them in going a step further, as was now proposed. The cotton manufacture, so far from having been prejudiced by the restrictions on labour which had been already imposed, had prospered under them to an unexampled degree. In fact, it had taken a start, and acquired a development for which there was no parallel in the antecedent history of the trade. The question now was—"shall the restrictions already imposed remain as they are, or is it wise and expedient that they shall be extended in any degree beyond their present limit?" There were many hon. Members who were in favour of a restriction to eleven hours, but who opposed a restriction to ten. Perhaps their views were prudent and reasonable. He did not say to the contrary; but what he was anxious to impress on them was, that they might with perfect propriety and perfect consistency support the present Bill. He earnestly solicited them to do so. By so doing, they would not be pledging themselves to any principle which they could not sanction. The Bill contained only two clauses; and it should be borne in mind that the hon. Member who introduced it only proposed in the first instance to go for eleven hours. What he proposed was, that the experiment of the eleven hour system should be tried for two years. [An hon. MEMBER: For one year.] That made the case stronger. He advocated the experiment of the eleven hour system for one year, and wished that after that the ten hour system should be adopted; but observe, this prospective provision might be modified or totally struck out from the Bill in Committee; and it would be quite optional for hon. Members to determine that the eleven hour restriction would be the utmost limit to which they would go. It was quite competent for them to omit altogether in Committee the clause having reference to ten hours, and to declare that they would take their stand on the eleven hour system, and not stir beyond it—at least not until ample opportunity for testing the eleven hour system had been afforded. It was clear, therefore, that they would act with perfect consistency in supporting the second reading. And now he would address himself to the consideration of the eleven hour restriction. For the present he would confine himself to that point. His Friend the right hon. Baronet the Secretary for the Home Department, when last this question was under discussion, had said, that he apprehended very injurious results from the measure to the cotton manufacturer of

England, who, he feared, would be unable to maintain competition with the manufacturers of the Continent, where the hours of factory labour were longer than in this country. He believed it was quite true, as stated, that on the Continent generally the hours of labour were longer. He was well aware that in France and Austria, instead of the period of labour being confined to sixty-nine hours per week, as in England, it was seventy-eight hours, and in many instances as much as eighty-five. He admitted that, apparently, there was thus a great advantage in favour of the French manufacturer ; but he would take leave to put before them the real facts of the case, which he obtained only a few weeks since from Mr. Waddington, an Englishman of very high character, who for the last twenty years had been a manufacturer of cotton in Rouen. This gentleman, who had recently occasion to call on certain parties in France to join him as capitalists in extending that branch of manufacture in Rouen, had assured him, that the result of his experience, on a comparison of the labouring classes of both countries, was, that the French operative, working fourteen hours a day, would not be able to accomplish the same amount of labour as the English operative working ten hours a day. That was his experience for years, and he gave as a proof only—not immediately in the spinning or weaving departments, where the skill demanded was greater—the working of railway labourers. All the higher branches of railway labour between Rouen and Paris were filled by English workmen, who were paid nearly twice the amount of wages that Frenchmen were, simply because their labour was nearly twice as valuable ; and it was an unquestionable fact that those Englishmen actually worked fewer hours a day than the French labourers, and yet did double the amount of labour. He could not see, therefore, how it could be contended that because skilled labour in France was cheaper than in England, injury would result to the English manufacturer from a restriction of the hours of toil. The right hon. Baronet had said that such a measure would amount to a tax on the manufacturer's capital ; but what would be the amount of that tax? Be it remembered he was talking of the eleven hour system, to which the House might, if it chose, limit itself by a Resolution to that effect in Committee. For proof of its advantage he would refer to the experience of the Messrs. Gardiner, who themselves abridged the hours of labour to eleven hours, which was followed with the best consequences to all concerned. He would ask the House to consider too what was the amount of disadvantage which would result to the manufacturer from that system? It had been estimated by the manufacturers themselves, who were adverse to the present Bill, and whose testimony on the point was of course unexceptionable. He would accept the calculation which he had seen in a Manchester paper, and which had been made by Mr. Eccles, who calculated the loss at $7\frac{1}{2}$ per cent. Let it then be taken at that calculation ; but look at the other side of the question. What was the value of the advantage which had been secured to the manufacturer last year by the remission of the duty on cotton? An eminent manufacturer of Glasgow who petitioned the House for the remission of the duty had estimated it in his petition as equivalent to a tax of 3 per cent on the great bulk of cotton exports, which were heavy goods. The duty, therefore, having been estimated as a tax of 3 per cent on the great bulk of exported manufactures, the advantage of the remission might be very fairly estimated at the same sum. One advantage, tantamount to 3 per cent, had been thus secured to him ; but then consider what benefit he was likely to realize from certain great commercial changes which were in contemplation to regulate the importation of corn. According to the views of hon. Gentlemen opposite, very material advantages would accrue to the cotton manufacturer from those changes. If, therefore, it could be shown that they were going to give to the cotton manufacturer advantages more than equivalent to the tax they were going to impose, were there not good and valid reasons why, due regard being had to the interests of the employed, the hours of labour should be restricted? He did not place it, however, on this exclusive basis. He was certain that it would be for the interest even of the manufacturer himself that this restriction should take place. The real state of the manufacturing districts in England and Scotland was this—there were great capitals competing for profit, and great masses of labour competing for employment; and the necessary result was, that where labour was growing with a rapidity far beyond the extent of investment, great though that was, labour became prostrate and was thrown at the

feet of capital. This result necessarily grew from great competition on the part of capital, and great competition on the part of labour; but surely it was the duty of the Legislature to interpose and protect the weaker party. By so doing they would also best consult the interests of the manufacturers themselves. They all knew the state of feeling which prevailed amongst the masses of manufacturing operatives in this country towards very many of the great manufacturers. He did not concur in the bitter denunciations of the hon. Member for Knaresborough against the master manufacturers. He knew that there were to be found amongst them men as intelligent, honourable, and humane as any in the world. Nor would he draw any invidious contrast between them and the landed proprietors: both had their virtues. They could not disguise—and no one who knew the state of the manufacturing districts ought to disguise—that there was in existence a sore and angry feeling on the part of the operatives, in consequence of the state in which they were placed. They saw the manufacturers make enormous fortunes—it was perfectly well known that they did—it was perfectly notorious that manufacturing capital was very successful—it was clear what the manufacturers made—he rejoiced that they did make it—but the operative was crushed to the earth by diminished wages. [An hon. MEMBER: Competition.] The operative found his wages to be sinking—he found his labour intense, and protracted for hours which he felt exhausted his frame; and he asked them to reduce that period by two hours, which he (Mr. Colquhoun) conceived could be done, on the grounds he stated, without seriously injuring the profits of the manufacturer. The operative, observing that state of things, felt towards the manufacturer sentiments which it was wise not to leave in his breast if they could remove them; and he (Mr. Colquhoun) thought they could remove—he thought they could mitigate those feelings if they secured for the operative hours of rest—if they secured to him periods of recreation, and afforded him the means of cultivating his mind and improving his morals. Those means they would give him, even if they reduced the time one hour; and he thought it was no less for the interest of the manufacturer than of the operative that this restriction should take place. That brought him to the point to which the hon. Member for Glasgow had called his attention—to competition. How would this restriction bear on the wages of the operative? They told him they were very anxious that the operative should not suffer a loss in his wages; and he could not help recalling the words of the Secretary of State the other night, and say, let them be perfectly sincere on this question. Let it be quite plain to the operative, that they were really anxious on his account, and not on their own; that they wished to save him as well as themselves. Now, what would be the effect on him? The effect, as stated by Messrs. Holdsworth and Gregg, of one hour would be a reduction of about $7\frac{1}{2}$ per cent of the wages of labour. They stated that the average wages of labour in their district was about 10*s.* 2*d.*, 10*s.* 4*d.*—[An hon. MEMBER: 10*s.* $3\frac{1}{4}$*d.*]—or 10*s.* $3\frac{1}{2}$*d.*, or some such sum as that. But he preferred to take the average from the Factory Inspectors Report by Mr. Leonard Horner, and he gave 11*s.* 7*d.* as the average wages of each operative. What would be the effect of this reduction of one-twelfth on the wages of the operative? It would be a reduction from the present rate of nearly 9*d.* a week; that was to say, it would reduce the present yearly amount from 31*l.* 5*s.* to 28*l.* 16*s.*; that was the loss the operative would sustain. Well, now the operative said he was quite prepared for that; and yet they said they must interfere and protect the operative from that loss. But the operatives had sustained a loss by the competition which had taken place in labour. They were told by the same authority, Mr. Leonard Horner, on the testimony of the manufacturers themselves, that the operatives had sustained a reduction not merely of 7 per cent. He (Mr. Colquhoun) would state to the hon. Member for Glasgow what the average reduction had been in the years between 1828 and 1841, and that was stated, not on his testimony, but on the testimony of manufacturers themselves, submitted to Mr. Horner. The average fall from the year 1828 to 1841, excluding the spinners, which would make the fall still greater, was 17 per cent, and the lowest reduction that had taken place was 11 per cent—that was to say, the 8*s.* wages fell to 7*s.*, and the 4*s.* wages fell to 3*s.* 6*d.* [An hon. MEMBER: I object to 4*s.*] The hon. Member would find it was a strong argument if he even threw out 1841. They had also the same authority, telling them that in one mill, in Manchester, the fall between 1828 and 1829, or in

twelve months, was 13 per cent. There was the fact stated on the testimony of the manufacturers themselves. They were benefiting the operative to the full extent of 7 per cent, if they took 7 per cent off, and reduced the hours of labour; and the operative was fully prepared to lose 7 per cent of his wages if he were afforded the opportunity to gain in health and morals. They wanted, however, to extend the ægis of their protection over the operative; and he thought the House would act wisely to adopt the proposition of the hon. Member, and restrict the hours of labour. It would be for the benefit both of the operative and manufacturer. High wages were by no means an indication of great comfort on the part of those who received them. It was notorious in the manufacturing districts that the highest paid operatives were not always the best conducted, the most happy in their homes, or the most moral in their lives. Moderate wages with moderate labour were unquestionably of the highest advantage to operatives; and, consistently with reason and sound sense, they asked the House to restrict the hours of labour, expecting as a compensation for any reduction of wages greater economy in their household and greater salubrity in their mode of living; while the masters would also find a compensation for the reduced hours of labour in a happier and healthier tone of feeling on the part of their operatives, in the existence of greater harmony between master and man, and in the progress of free and fair competition, which still might realize for them ample profits.

MR. LABOUCHERE: There is one part of the speech of the hon. Gentleman who last sat down in which I am happy to express my entire concurrence. I mean in the wish he gave utterance to, that the difficulties which beset this discussion may not be augmented, or embittered in any way, by recrimination on the part of those two great classes of the community that are equally important to its prosperity and wealth: I mean those engaged in the occupations of agriculture, and those engaged in the occupations of commerce. I have regretted that of late years so much of that kind of recrimination has been heard within these walls; and I confess that one of the advantages which I anticipate from those commercial measures which have lately occupied the attention of the House—if they be carried into law—is, that they will have the effect of preventing Englishmen in future being banded in separate parties against each other, not on account of those ancient and necessary distinctions which must exist in all free countries, but on the direct personal interests of the separate trades and occupations which they professed. Though I am unwilling, from the deep sense which I entertain of the importance of this subject, to give a silent vote upon it, yet having on former occasions taken the liberty of expressing my views to the House, and having heard also, in the course of this discussion, those sentiments which I entertain better expressed than I can express them, I shall not, I can assure the House, venture to occupy its attention for any length of time. But the question itself is of such moment—a right decision on it is of so much importance to the interests of the country—that it is impossible for me to hear it discussed in this House without attempting at least to convey to the House the alarm I feel that any precipitate and inconsiderate resolution should be come to by the House upon it. Sir, that it is a subject of the greatest gravity and importance no man can deny. What is the proposal of the hon. Gentleman who brought this question forward? It is nothing more nor less than this—to diminish by one-sixth the productive power of the great manufacturers of this country. Sir, we are indeed assured that this measure will not injure the interests of the great body of the working population engaged in those manufactories. I can only say that I believe if I could separate the commercial part of this question from what is called the part relating to humanity—if I could persuade myself that the great body of the people directly employed in the manufactories of this country, and that still larger portion of the people whose condition must be indirectly affected by whatever you do with regard to those employed in manufactories—if I could believe that their condition, physical and moral, would be permanently raised by the adoption of measures such as that now recommended to us, no considerations of commercial prosperity, no desire for national aggrandizement, or to see wealth accumulated, would stand in my way in giving my consent to such a proposition. The great body of the working classes of the people are the most important class in this country, and deserve consideration beyond all others. They are, Sir, the most important part of the human race in the sight of the Creator, and for this reason, because

they are the most numerous. He regards all his creatures with equal affection and care; and having so placed and arranged the condition of human affairs that the great body of mankind are condemned to earn their livelihood with the sweat of their brow, that great body is most important in his sight, and should be most important in the sight of every man to whom he has committed any portion of authority over the rest of his fellow creatures. It is, Sir, because I am prepared to support that assertion—it is because I fear the adoption of the measure proposed to us would be fraught with danger to the permanent interests of that great body of the people, that I warn this House to consider all its consequences before they adopt it. It is not enough to say to us, "Here is a great moral and physical evil—it is an evil that these people should work twelve hours a day—it is better that they should work ten hours—let us by direct legislation strike at the root of the evil, and enact that they shall only work ten hours." If it were possible, Sir, to deal with the subject in that way, the task of legislation would be easy. Do we deal with other subjects in that way, and seek to put down every evil by direct legislation? Do we not consider the consequences, and is it, I ask, real humanity—that sort of humanity that becomes statesmen and legislators—to act without considering all the consequences of measures of this kind? It is proposed to put an end to this practice by direct legislation. But do we, I ask, Sir, deal thus with the other relations of society? I do not, Sir, wish to make invidious comparisons between different portions of the community employed in different occupations. We have heard of the condition of the labourers in the south-west of England; we have lately heard a dispute as to whether their wages were seven or eight shillings a week; and will any person who knows the condition of the people there, the rate of wages they receive, and the sort of houses in which they live, say those are not great moral and physical evils? Yet, if any man should propose to put an end to this by direct enactment, and to declare that it shall be penal to employ any man unless you give him ten shillings a week, or to permit him to live in a cottage where he and his family cannot have the common comforts of life—the man who would make that proposal would be immediately met with the objection, "Take care what you are about, and that your rash legislation does not inflict more evil than it is calculated to prevent." I mention these things because I fear that you are treading on dangerous ground, and do not see what may be the effect of what you propose. We should be cautious how we interfere with that which every writer on the subject tells us is as unsafe a matter as a Legislature can interfere with—I mean, the labour market of the country. There is one admission I am ready to make to the Gentlemen who have taken the opposite side of the case. It is this: I consider we are now discussing a case not of principle, but of degree. I don't take my stand on what is called the high ground, but which I think is the very unsafe ground, taken by the hon. Member for Montrose, that the principle of interference is absolutely inadmissible. It does not lie in my mouth to use that argument. I have supported the Factory Bill almost as it now stands. I supported the proposition of Lord Ashley—whose absence from this House we must all regret, particularly on an occasion like the present—to prevent women from working in under-ground mines. I think the Legislature, by proceeding cautiously, have done more good than harm; but when I say that by the present Factory Bill we have done more good than harm, we are not without a warning upon what dangerous ground we are treading, and how cautious we ought to be in pushing this principle further. There is one circumstance in connexion with this view of the subject which I wish to mention to the House; it is stated by the Commissioners of Factories, and struck me very much at the time—I mean, the effects which are produced on the children in the towns by different kinds of labour. In the town of Warrington, there are three occupations in which the children of the poor are engaged: one is the factory labour, which is by far the lightest; the next is fustian cutting, which is a more severe occupation; and the third is the manufacture of pins, which is an occupation still more severe, and the effects of which on the eyesight it would be painful to describe. And we find this is the case—you have regulated the labour of children in factories, but you do not regulate it in the fustian cutting shop, or at the pinmaker's; and when the children are too young to be sent into factories, they are sent to the fustian cutting shop, and to the shop where pins are made. Now, if any Gentleman should say, we will follow them to the fustian cutting shop, and to the shop where

pins are made, and we shall see that everywhere and in all occupations only a humane degree of labour is permitted, they would be immediately stopped by the utter impossibility of doing it. If you adopt the principle of interference generally, and say that in all cases the labour performed throughout the country shall be subject to the vigilance of the Government, you must do this—you must turn one-third of the people of England into commissioners to watch the other two thirds. Is this, Sir, I ask, a thing to be tolerated? Why, Sir, it is against the genius of the country—it is opposed to common sense—it is utterly impossible to carry it into effect. A memorial has lately been put into my hands, from the fustian cutters of Manchester to the Government; and what does this memorial state? It states—

"That owing to the Factories Act virtually excluding children under thirteen years of age from working in mills where the machinery is propelled by steam power, many children that would otherwise work in factories find their way into the business of fustian cutting, at nine and intermediate ages; and thus this necessary and humane measure is in these cases not only rendered inoperative, but even injurious, as in the business of fustian cutting the children are longer, later, harder worked than they possibly could be in factories, if no such laws were in existence."

The memorialists prayed—

"That the factory law should be extended to fustian cutting shops, and that a legal functionary, appointed by the Government, should become, as it were, the guardian of the law, to receive informations and undertake prosecutions."

They want that a Government officer should be appointed to watch over the conduct of the masters, inspecting their shops and carrying this law into effect; and if such a law could be carried into effect at all, it is only by a system of espionage of that kind. But if that were done, it would not stop with the fustian cutters; it would be said, there were hundreds of trades in the metropolis that can make out a stronger case. The fustian cutters say the condition of their trade is a moral evil, and ask the Government to appoint magistrates to see the manner in which their trade is conducted. But they ask what is impossible, and what would do a great deal more harm than good. The hon. Gentleman who spoke last said, the probability is now that there will be some reduction of wages if this Bill is passed; but the working people are prepared for that—they are quite ready to assent to it. Now, Sir, I have inquired into that subject as well as I could; and I beg to express my entire conviction that if the working people of this country were satisfied that a reduction of wages would be the consequence of this Bill, they would, as one man, protest against it. But the hon. Member who moved the second reading of this Bill—I don't know whether he be in the House at present—said, in moving the second reading, that there would be no diminution of profits—there would be no reduction of wages depending upon the shortening of the hours of labour which this Bill provides. When this statement was made by a Gentleman whose character as a manufacturer is deservedly high, and when the people are told they will get twelve hours' wages for ten hours' labour, it is not surprising that a desire should be expressed by the operatives for the passing of a Bill to effect that. But if the House is persuaded that there will be a material fall in wages—if they believe there is reason to think the disappointment of the operatives would be as great as their expectations were high when this Bill was brought forward, the House will be cautious how it interferes. This fact has been stated, and never has been contradicted—there is no such thing on record as a strike for shorter hours. The strikes for higher wages have been frequent; but there never have been strikes for shorter hours of work. Some persons said, the reason of that was because the workmen were afraid of their masters; but let it be recollected, that they were not afraid of the masters when they struck for higher wages, and when they had an object to effect they combined to advance that object. Again, I understand the instances are numerous of hands leaving mills that were working at short time, to go to those mills that were working at long time; but there is no such thing on record as workmen leaving mills that were working twelve hours to go to mills that were working ten hours. While I am on this subject I shall venture to read to the House an extract from the letter of a gentleman, who has permitted me to use it. From the nature of the facts it contains, and the authority of the gentleman from whom I have received it, it is deserving of the consideration of the House. It is a letter from Mr. William Gregg, stating what was the result of an experiment in his brother's (Mr. Robert Gregg's) mill, in Manchester, to work for eleven hours. Mr. Gregg says—

"My brother tried the reduction of the usual time to eleven hours for some weeks without re-

ducing the wages of those hands who were paid by the day: but as the loss in the amount produced was too serious to allow him to continue this without some change, he proposed to continue the eleven hours' system if they would divide the loss with him, and accept eleven and a half hours' wages (or something like that); but he found them unanimous in preferring twelve hours' work to eleven, with any reduction whatever of wages, however slight."

LORD MORPETH: When was that?

MR. LABOUCHERE: Within the last three months.

MR. HINDLEY: That is, after the same gentleman had written in fav ouof the Ten Hours' Bill.

MR. LABOUCHERE: So much the more important the testimony. Mr. Horner stated in his Report—

"I have made some calculations as to the probable reduction of wages, and of the whole loss that would be thrown on the operatives. I make the amount, in the case of eleven hours a day to be 13 per cent; and in the case of ten hours a day, 25 per cent, at the present average rate of wages."

Now, if we think that we ought to enforce the eleven hours at the least, let us at least do it with our eyes open. Let us not do it under the delusion—a delusion which, when we know the facts, we have no excuse for maintaining in our own minds, that we shall not seriously affect the wages of the working people of the country; and let us take care that that reduction shall not take them by surprise, and cause them in the end serious disappointment. My own belief is this, if you pass this Bill, the consequence at no distant time must be a fearful struggle between the capitalists of this country, whose capitals are at stake as master manufacturers, and the working population whom they employ. I believe that both classes would suffer inevitably in that struggle; but sure I am, that those on whom the consequences would come with most weight, would be that labouring population for whose benefit you profess to legislate. Sir, I don't say that this would come at once—on the contrary, it is rather curious, I think, to consider what would be the first effect of a measure of this kind. I will suppose that you pass this Bill, and strike off one-sixth of the productive power of this country. The effect on the general markets of the world of such a reduction would be immense; a great void would be created, and prices would rise. The foreigner would not be prepared at the moment to fill up the gap; trade would be stimulated; and it might happen, for the moment, that speculators, deceived by first appearances, would unduly extend their operations. But the recoil would inevitably come; the foreign capitalist, unrestrained by those restrictions, and working his twelve hours against your ten, would soon fill up the gap. Then would come the struggle between your manufacturers working only ten hours, and the foreign manufacturer working twelve hours. Simultaneously with that would be the struggle between your own manufacturers and your labouring population, when the former tried to reduce the wages of the latter, to make up the loss he sustained not only by the diminished produce of his mill in consequence of two hours' labour being taken from him, but also on account of the increased expense which it must throw upon him. Are those, I ask, consequences to be contemplated lightly? Is not this a state of things which it behoves every person who is prepared to give a vote on this question seriously to consider. As I have said before, Sir, I am no bigot in favour of non-interference. I consider there are material advantages which may arise from the Government of the country and the Legislature of the country cautiously and considerately showing an interest for the labouring population that is congregated in masses in the factories of this country. There is a distinction between them and the other labouring population; and the distinction is, that in one case we can reach them in an instant, but we cannot in the other; and I ask, Sir, is it because this part of the labouring population is immediately within our reach that therefore we should make it the subject of rash and hazardous legislation? I trust, Sir, that in the same Session of Parliament in which we are about to witness the removal of the shackles on trade, we shall not witness the increase of restriction on that which is the capital of the poor man. This is a delicate subject to deal with, for recollect if you pass this Bill, what do you say in fact, if not in words? You say this—"At no time, under no circumstances, shall you, however desirable, accept wages on the condition of working twelve hours in the day, within the walls of a factory;" and I ask, is that a safe thing to state? Are you prepared to say, that under all circumstances, an iron rule of that kind will do good? I admitted when I first rose that this was a question of degree, and not of principle. I have treated this all along, and so has the House, as a Bill to limit the labour of the adult population of the country, and it has been treated so by

others. It is true it does not do so by words, but it does so in practice; and that is freely admitted by those to whom respect is due on account of their character and intelligence, and the manner in which they have conducted themselves. The deputies of the working classes, who argued the matter, admitted that they looked upon it as a Bill to limit the labour of adults. I have observed with very great pleasure, that there does exist amongst the working classes of this country an increased desire for leisure and intellectual improvement. I see that disposition on the part of the people of the country with the greatest satisfaction. I see also, with satisfaction, that libraries have been provided in some instances, and class-rooms for instruction, and that all this has been done by voluntary arrangement between the master and men. It is deserving of encouragement, and can be done without danger, because the rule can be relaxed at any time if necessary; and it will also have the effect of generating good feelings between the operatives and their employer. But there is a great difference between a voluntary arrangement of this kind and a compulsory enactment. I shall now venture, with reference to this part of the question, to call the attention of the House to a document which I have lately received; it is a notice to their workmen issued by a firm whose high mercantile character renders them worthy of the respect that is paid to their public merit, and also entitles them to the respect of this House. I mean the Messrs. Marshall, of Leeds, who have been lately trying the eleven hour system. But they accompanied this experiment by an appeal to their workmen to co-operate with them in carrying it out. They stated to the workmen very fairly—if we make this experiment, we have reason to expect from you that you will pay increased attention to your work. And they suggest various ways in which the workmen can co-operate with them in carrying out those regulations. After stating that they had provided a mill library and class rooms for instruction, and made other arrangements, they go on to make this statement:—

"We trust that the voluntary reduction of the hours of labour on our part will be met by a readiness on the part of our workpeople to perform their share also in a cheerful endeavour to make their labour more valuable to their employers when their hours of work are shortened. This is the more necessary in a manufactory such as ours, where the work is generally not paid by the piece, but by the day. It is clear that the employer cannot in this case continue to pay the same wages as now for shorter hours of work, unless there is increased care, attention, and skill on the part of the workpeople, so as to make their work of equal value to their employer. Now this, we are convinced, is quite practicable if there is a willingness and a desire to do it; and when it is understood that this is the only way in which the workpeople can permanently elevate and improve their condition, we feel convinced that the effort will be made. There must be perfect punctuality of attendance; no time wasted during the hours of work; the machinery must be kept going till the bell rings; no time can be allowed, before the bell rings, for changing of dress; instead of which suitable places will be provided for all the workpeople, in which to keep their change of dress, and seats for them at meal times. These regulations are essential to the success of the plan for shortening hours of labour without reducing wages; they do not, really, in any degree make the work more laborious or irksome. Work done with punctuality and order is always the lightest and pleasantest work."

Now, Sir, I have no doubt that with employers such as the Messrs. Marshall coming forward to make such a proposal, that the labourers would endeavour, by conforming with those arrangements, to render this reduction of labour a matter of as little loss as possible to their employers. They have the same wages for the ten hours work as they had before, and they are bound by every motive that can actuate man to co-operate with them. But suppose instead of this being a voluntary concession on the part of the Messrs. Marshall, it had been forced upon them by the Legislature, what would be the consequence? Why, it is in human nature that the workmen should say, "We owe you no thanks for this, and you cannot expect us to alter our usual habits to do anything unusual for this." It is just a point of this kind which I think constitutes the material difference between a voluntary shortening of hours of labour on the part of the manufacturer, so as to render the loss as slight as possible, and the result of a law on the part of the Legislature ordaining it as a matter of compulsion. I cannot accept the invitation that is given to me to proceed any further when I look abroad and consider what we have done hitherto. We are now practically limiting the hours of labour to the workmen to something beyond—it is not very much beyond—what some foreigners are working at this moment. At this moment in the United States, where competition is most close, the cotton manufacturers of the United States are working something more than twelve hours a day. I believe our advan-

tages are such that at present we run no risk of competition; but reduce the twelve hours to ten or even eleven, though only a question of degree, it may constitute the whole difference between life and death. It is like saying to a man whom you have plunged up to his neck in a river, "Why you seem to endure it very well, and you shall go a little deeper, it will make no difference." But it might be making this difference, the man might be drowned. Therefore I cannot agree with those Gentleman who say we have done very well when we reduced the hours of labour to twelve hours, and now we shall reduce them to ten. I have already endeavoured to impress upon the House the reasons why I believe that the full result of the evil will not be felt at once; on the contrary, I think that a false gleam of prosperity might follow this restriction, but it will be dispelled by the foreign competitors who will occupy the market. The consequence will be that the manufacturers will get into difficulties, and that a struggle will take place between them and the labouring population, caused by the reduction of wages. I am not afraid to say that I for one must decline the responsibility of making any experiment of this kind. If this House shall choose to adopt it, no one shall more heartily pray than I shall that the fears I now express will prove unfounded, and that this measure may turn out—what I am sure it was intended to be by my noble Friend who proposed it originally to the House, and by the hon. Gentleman who filled his place on this occasion—for the benefit of that class of the community for whom I feel as strongly as any man in the House can feel—I mean the great body of my industrious fellow countrymen who are engaged in the factories of this country. I trust that it may be consistent with that which you may separate from it in argument, but cannot in reality, I mean the wholesome and healthy prosperity of our great manufacturing interest which has grown up for good or for evil in this country, but which you cannot now check without evil to the labouring population. I say, Sir, that I hope the fears which I express may prove to be unfounded; but as after the best consideration I could give the subject, I make up my mind that this is the course which I should take, I feel it to be my duty upon the present occasion, as I did on a former occasion, to give my uncompromising opposition to this Bill. With regard to what has been said about the ten and eleven hours, I am opposed to both. I cannot go so far as to say they are equally bad, but if I were driven to choose, I would rather take the eleven hours than the ten. But, Sir, I am opposed to both. I think we have gone as far in the way of regulation as we ought to go. I shall resist going any further, and my vote therefore shall be given against the second reading of this Bill, which proposes to invite the House to the discussion whether we shall again, by legislative enactment, make it a compulsory matter to reduce the hours of work—though not directly, yet as effectively as if it were done directly—of the labouring population of this country.

Mr. COWPER said, that in the very able speech which his right hon. Friend had just made, the operatives who were concerned would find some source of gratification in consequence of the feeling he had shown for their moral welfare, and the general tone he had adopted, which he (Mr. Cowper) must say was different from that of many of the speeches which were previously delivered. He observed that the right hon. Gentleman had entirely abandoned that which heretofore was the strong ground urged against the Bill, namely, that it was a violation of principle. He put it entirely on two points—first, on the opinions held by the factory operatives; and, secondly, that it would act to their detriment—that their friends thought it would work to their disadvantage—and that it might give rise to foreign competition. He had endeavoured to look for information through channels the most authoritative on the subject, and he found that the great body of the operatives desired this Bill not only with the utmost ardour, but they desired this Bill more than any other legislative measure that was brought forward. He found that there were 880 petitions presented for this Bill; and against the Bill he found there were only four petitions, signed only by ninety-three signatures. So it stood on record that there were only ninety-three persons in the factory districts who would object to this law. And then in order still farther to bring out the opinions of the people, he took the pains of referring to the number of petitions in favour of the repeal of the Corn Laws. No person at that side of the House would doubt that the people of England did desire the repeal of the Corn Laws, and that they had attempted to show that by their petitions; but when he referred to

the number of the petitions in favour of those respective measures, he found that the whole of the petitions for the Ten Hours' Bill was 880, and the whole of the petitions for the repeal of the Corn Laws was only 572; so that so far as petitions went, the people, it appeared, cared more about the Ten Hours' Bill than about the other. And it should be recollected that the petitions for the Ten Hours' Bill only came from a particular part of the country, and not from the country at large. He had seen in the newspapers a paper that professed to be signed by delegates on behalf of the operatives in Lancashire. Those persons had taken upon themselves to represent the operatives; and he (Mr. Cowper) presumed they had not done so without authority, and they stated this—

"We beg to say, that on behalf of the parents of the children, and the young persons themselves, we are authorized to state that they are quite prepared to accept a reduction of the time of labour, and leave the value and the price of labour to be regulated and arranged between them and their employers."

That was signed by their chairman; and when those delegates declared that opinion, in the face of the country, it would require a little more evidence than had been given to them by his right hon. Friend to show that the factory operatives were not pretty nearly unanimous in favour of this Bill. Two years ago, at the meeting of the delegates from a number of mills, he had heard them declare that so anxious were they for a restriction on the hours of labour, that they would encounter all risks of loss of wages for that purpose. Another proof of the state of feeling was the manner in which the manufacturing districts were represented in that House. In looking into the lists of the divisions in 1844 on this subject, he found that out of the forty-two representatives from the manufacturing districts, thirty-three voted for the ten hours: this was a very strong ground to show that the predominant feeling in the manufacturing districts was in favour of restricting the hours of labour. There was one remark which fell from his right hon. Friend which he was sorry to hear, and he had heard it on a former occasion from the hon. Member for Manchester, namely, the assumption that the operatives were not really anxious for the measure, because there had been no strike for a diminution in the hours of labour. This statement was a most dangerous one to put forth in that House. It was telling the operatives that the passing of the Ten Hours' Bill, depended on a strike. If that was so, his right hon. Friend might depend upon it there would be a strike before long. If this was to be the mode of calling for an expression of their opinion, they would have the proof before they wished it. The operatives, however, did not strike, because they knew that a strike seldom turned out to their advantage. They knew that it was always attended with great injury to the masters. They had occasionally struck for higher wages; they now, however, from past experience refrained from striking for higher wages. They knew, that although they might ultimately attain what they desired, yet that in the meantime the sufferings they had to undergo themselves, the injury done to their masters, and the effect produced on the commercial prosperity of the country, was such as to render it a mischievous and dangerous mode of attaining their object. Another reason for their not striking was, that the persons who were their principal leaders had a deep sense of their responsibility towards the cause they had undertaken; and the leaders he spoke of were not only the Members of that House, but were themselves operatives. They were men of principle and character, and of sound judgment, and who did not wish to pollute the cause of justice and the holy and righteous cause which they advocated, by means of which they disapproved. They believed that the most likely way to win over the country, and to win over the masters also, to the cause of the factory children, was by addressing the higher and better feelings of those they had to deal with. This course had been in a great degree successful, he thought, with the masters of Lancashire and Yorkshire. They were very much changed of late. Instead of opposing the proposition of diminishing the hours of work to ten, in the strong way they used to do, they had lately had meetings to see if it was not possible that eleven hours might be agreed to. That was an important change. They assured his noble Friend (Lord Ashley)—and if hon. Members went into the manufacturing districts they would find that admitted—indeed right hon. Gentlemen concurred in that admission—that if it could be carried into effect it was most desirable that young persons between the ages of thirteen and eighteen should not be exposed to an amount of toil which exhausted their strength, and prevented them from receiv-

ing a proper education, and enjoying those amusements which were customary with young persons in other walks of life. It had been stated that steps were being taken for the introduction of the eleven hours system as an amicable compromise, and in the form of a voluntary agreement, and they were told that this was the best mode of proceeding. He did not agree in this, for however desirable in the abstract such a proceeding might appear, it would be impracticable, as they would not get all the masters to assent to it. If some for a partial advantage did not keep the agreement, there would be no means of enforcing it; the plan would be stopped, as some would not assent to it, in hopes of getting a temporary advantage over those who did so. Meetings for this purpose, however, had been held, and had broken up without coming to any decision, and indeed they could not expect any reliance to be placed on a voluntary arrangement on such a matter. If matters much less complicated could be settled by voluntary arrangement, that House would have much less to do, for parties would settle privately that which now must be arranged by legislation. In case of the opinion of the majority being in favour of the proposition, they could not bind the minority without laws to constrain it. So in the present case, to make the proposition operative, they must inflict penalties on the minority which entertained an opinion different from the majority on this matter. His right hon. Friend had endeavoured to excite their fears as to foreign competition. Now this was the argument always thrown in the way of this measure; but the ground taken on that occasion was not precisely the same as had been taken in former debates. The ground formerly adopted was, that as the operatives were obliged to live at greater expense in this country than elsewhere, owing to the high price of corn, they could not compete successfully with foreigners as long as this enhancement in the price of food continued. In the paper which he had just read, he found an extract from a letter of Mr. Ashworth, who represented the masters, dated May 4, 1844, to the following effect:—

"Every day something like two hours labour is required, if not directly imposed, by the Corn Laws and other restrictions on trade, and that these restrictions must be removed before any permanent reduction of the hours of labour can be effected."

Such was the opinion of Mr. Ashworth, who was considered an authority on this subject. That gentleman was of opinion, that if they swept away the Corn Laws, they would be enabled to reduce the hours of labour from twelve to ten. Mr. Ashworth said, in a subsequent part of his letter, a reduction of the hours of labour was one of the objects sought to be accomplished by a repeal of the Corn Laws. In former debates on this subject the Corn Laws had always been held out by the opponents of the change as a reason why it should not take place; and he must say it would be somewhat hard if, after preventing the operatives from gaining this great benefit for so many years because the Corn Laws were in existence, the opponents of a diminution of hours should turn round and say, "We cannot let you have it now, because the Corn Laws are abolished." That would not be thought a very fair or sincere mode of argument. It had been suggested to him that the Corn Laws were not yet abolished; but before this Bill came to a third reading, the question of the Corn Laws would be decided, and the matter set at rest, he was convinced; and if those laws were not repealed when this Bill came to the third reading, there would be then an opportunity for the opponents of it to prevent this Bill from becoming law. In the notice by Messrs. Marshall to their workpeople, which had just been referred to, and which did them credit, and was a good example to hold out to all employers, it was observed—

"The repeal of the Corn Laws and other restrictive duties, whether a little sooner or a little later, may now be considered certain; and we think that a free trade, by giving larger and better markets and a steadier demand to the employer, and more constant employment and a more ample supply of the necessaries of life to the workpeople, will greatly facilitate the shortening of the hours of labour without reducing wages or profits."

That was Messrs. Marshall's opinion, and the advocates of the repeal of the Corn Laws had maintained, that even if the money wages of the operatives should be lower, they would be compensated by cheapness for the fall of their wages. The House had often heard from the right hon. Baronet (Sir R. Peel), that the various measures of a financial character which he had brought forward, went greatly to diminish the expense of living to all classes of the community; but certainly, and most particularly, of the working classes. Therefore they had a right to hope that after the repeal of the Corn Laws the operatives

would be enabled to live cheaper than before; if not, one great argument for the repeal of the Corn Laws must fall to the ground. The House, he was convinced, had all along thought, that by the repeal of those laws they would be conferring a great advantage on the operative classes. Of course, all were agreed, that to some part of the manufacturing interest advantage would accrue from the repeal of those laws; but if the operatives did not benefit by it, then it must be the other branch of that interest, the capitalists, who would get all the benefit; but he fully believed that his hon. Friends who represented the manufacturing districts would not wish to usurp all the benefit for the masters, and leave these poor men to gain nothing by the change. He was convinced that the only great permanent benefit which the working classes in the manufacturing districts were susceptible of, was a reduction of the hours of labour. As to wages, he believed they depended upon matters beyond the control of Parliament—that they depended on the relations between the demand and supply of labour, and on circumstances beyond the reach of the Legislature. Then they came to that alternative which had been stated by the right hon. Baronet (Sir James Graham), that if there was a diminution of produce, that must either enhance the price or diminish the profits of the master, or diminish the wages of the labourer. Now he (Mr. Cowper) was not quite prepared to admit that there must be a diminution of produce as a result of a diminution of the hours of work. There might be a diminution of the daily produce, without its leading necessarily to a diminution of the aggregate produce for the whole year. He believed that our manufacturers produced a great many articles according as markets opened to them, and that every market that opened to them they sooner or later glutted. He believed there never was yet a market that the manufacturers of England did not succeed in glutting. When this was the case, they must begin to work short hours; and he therefore believed, that operatives working for ten hours, for a long time together, would produce as much as men working twelve hours with considerable intervals of short time work. When these periods of leisure from short time occurred, they came upon the workmen at uncertain moments, when they were unprepared for them, and produced much distress. On these grounds he came to the conclusion that the total amount produced in a year under the ten hour system would not be much diminished from the amount now produced. His hon. Friend who moved the second reading of the Bill was blamed for saying that that measure would not diminish either wages or profits. His hon. Friend said this, because he thought that prices would be raised, and he said that he had reason to believe that many descriptions of goods would be sold at higher prices than they now were. He now came to the question upon whom this loss, if it should occur, would fall. It could be clearly shown that the operatives, as a body, were willing, by a great majority, to run the risk. They had had very ample accounts on former occasions of the evil effect of working children and women, and even adult men, beyond their strength. It produced illness, and illness caused expense. It withdrew them from labour, and prevented their working at all. Calculations had been made of the economies which might be attended to, if there were more leisure. The operatives were willing to run the risk, but the capitalists were not. The hon. Member who opened the debate said, that the manufacturers who opposed this Bill had amassed considerable fortunes. He (Mr, Cowper) was happy, for the general well-being of the community, that it was so; but he thought that they should not grudge to their workmen a request like the present. He would remind them of the exhortations they had so lately addressed to landlords and farmers, who might now repeat to them that if they argued against this measure on the ground that it would add a burden to them, they should not put this selfish feeling in the scale against the good and well-being of vast masses. If the measure would inflict some small loss upon the capitalists, they had to prove that the object in view was sufficiently great to justify the Legislature in sanctioning it. The measure was important, because it involved the moral and social condition of large numbers of persons of various ages who went on working from day to day continually, without having any time to improve their minds? The Bill only indirectly interfered with the labour of men. The Bill did not deal with able-bodied men as a matter of principle, although it would indirectly; but they were not mentioned in the Bill, and the Bill itself had no reference to them. The principle on which the Bill rested was one which had always been acted upon in this country, namely, the principle of protecting the weak against

the power of those who could oppress them. The first step taken had been the protection of apprentices. They then continued or extended protection to children who were not able to make their own bargains, and were not regarded as free agents. He thought that the good of those classes should outweigh theoretical objections to interference by the State. The hon. Member for Montrose had said that it would be an interference with the freedom of trade if they passed this Bill. He would remind the hon. Member that this sort of argument might be opposed to almost all good measures. For instance, if a boroughmonger said, "May I not do what I like with my own?" or a slave-merchant say, "Why should you interfere with my liberty of buying slaves?" or an American saying, "Could this be a land of liberty if a man could not wallop his own nigger?"—these must be regarded, according to his hon. Friend, as justifiable protests against interference with the freedom of trade. No one should have the power to compel young persons to work for a longer time than they could easily labour, for young persons were not free agents. They should recollect, also, that the persons affected by this Bill were not on the same footing as those in other walks of life. They were placed at work in conjunction with a steam-engine, and were no more free agents to come and go when they liked, than a soldier in a regiment at drill; and if they did not constantly attend to this process they would be discharged, and it would be as well at once to tell them to go and starve. It was on that ground alone the Legislature proceeded, and it had never yet interfered with the labour of men. It was not proposed in the Bill to interfere with the labour of men, and he did not believe that any supporter of the Bill had urged this; but, for his own part, he rejoiced that it did so indirectly. Let it be granted that the law could not reach every case; still they should consider by such a Bill as this they would establish a better tone of public opinion. The manufacturers might not be able to look to so large an amount of profit; but the bodies and souls of those under them as workpeople would be benefited. There had been a voluntary attempt made for another object, which was called the early closing movement, for closing shops at such a time as to allow those engaged in them more time for improvement and recreation. This had only been partially successful, and they could not expect it to be so without the control of public opinion. He maintained that there was nothing in the Bill which violated the principle that they should not interfere with adult labour; it merely altered the existing law in certain details. The Legislature formerly adopted the opinion that twelve hours was the best time for the working of factories: what they now contended for was that ten hours was better; and this was all the difference in principle, putting aside the general results. Why then did they say that ten hours was better? There was much authority in favour of ten hours. Those who were the first to interfere in favour of factory regulations had been in favour of ten hours. The late Sir Robert Peel—and he was sure that the right hon. Baronet (Sir J. Graham) would now admit it—had always desired ten hours. His desire on that point was defeated; so was Mr. Sadler when he proposed ten hours; and so also was Lord Ashley; but although they had hitherto been unsuccessful, the friends of the cause were determined to persevere, and they trusted that the time was not distant when the boon so much desired by the labouring classes would be granted, and the question settled. If they looked to the general employment of all classes of mechanics, they would find that they nearly all adopted ten hours for the period of work. If they referred to the experience of all trades where the men could fix their own time of work, it would be found that they always fixed on ten hours. If they went into a cotton factory and asked how long the mechanics employed in repairing the machinery worked, the reply that would uniformly be received would be, that they would not work more than ten hours. He was informed that the strike in the building trade in Manchester and Liverpool, the existence of which was so much to be deplored, had been occasioned partly by interfering with the hours of labour of the men, and that one of the principal causes was, that some of the masters had made their men work ten hours and a half a day instead of ten, and the men were afraid that others would follow this example. There had been some apprehension expressed as to the result of the proposed change from twelve to ten hours, and some gentlemen had expressed a willingness to go the length of eleven hours. Those who were for eleven hours, would vote for the second reading of the Bill, even though when in Committee they should not vote

for the second clause, which enacted a period of ten hours. The principal argument used against the Bill, had been an appeal to their fears—a vague apprehension could not be accurately defined—of something in the distance that could not be distinctly seen. Those who argued in favour of the Bill had carefully avoided making any appeal to the fears of the House; but if they had chosen to depart from the more legitimate endeavour to influence the judgment and feelings of the persons addressed, they might have drawn pictures that would have produced some alarm in their minds—they might have drawn gloomy pictures of the vast mass of persons in our great hives of industry, discontented at not obtaining that which it had so long been their anxious and earnest desire to secure—they might have drawn some pictures of the alarm that must always follow when a large portion of our population were discontented at not obtaining an object of desire; particularly when the demanding of that object was, in their eyes, justified by the sanction of three votes of the House of Commons. But, perhaps, after all, the most rational ground of alarm was the prospect of that sad, moral, physical, and mental deterioration to which considerable portions of our fellow countrymen might fall. It was indeed a subject of serious alarm, that such a number of young persons should be daily launched into manhood and womanhood without any of that education which was fitted to prepare them for the duties of life, without having undergone any social training, but weakened in body and demoralized in mind, without respect for their superiors, without that love of goodness, without that knowledge of and reverence for the divine law, which was the surest guarantee for the security of our present social state, and which mainly conduced to the prosperity of this Empire.

MR. DENNISTOUN observed, that considering the circumstances under which the subject was brought before the House, one could scarcely approach it with anything like temper. He remembered, three years ago, when Lord Ashley introduced it to the House, it was just after four years of consecutive losses in trade; yet, notwithstanding that, the noble Lord proposed to legislate still further on the subject. The hon. Gentleman, who had that day first addressed the House, said, that if he conceived the passing of this measure would affect the cotton, the linen, or the woollen manufactures, he would feel it to be his duty to oppose it. Now, he would attempt to convince the hon. Gentleman and the House that this measure would be attended with serious consequences. He would take the case of a single mill, in reference to which he spoke from his own knowledge. This was a mill of an average size, containing 25,000 spindles, the gross produce of which in one year amounted to 21,640*l.*; but according to the allowances usually made, there was a deduction of one eight, or 2,700*l.*, for loss on working; the wages paid amounted to 7,100*l.*; and was, he asked, the loss which would be caused by this measure to fall altogether on the wages? The owners of this mill, for four years previous to the time this measure was introduced, suffered an annual loss of 1,000*l.*, besides interest—that was to say, the owner did not only not receive any profit, but had to put his hands into his own pocket, and pay 1,000*l.* a year, besides losing the interest of his capital. And what was the state of the operatives during that period? What did they receive in wages? Was it 10*s.*, 15*s.*, or 20*s.* a week? No, but 25*s.* a week during the whole of those four years. Now, he wished to ask hon. Members to consider where the loss fell in such a case as this. He was aware that the operatives themselves did not expect any loss whatever under the measure now before the House, supposing it passed into law. He had their own authority for stating this, because he found that in an address presented to Lord Ashley from some of his constituents, and which appeared in *The Times* of the 4th of April, 1844, they stated their expectation that, though wages might at first be reduced, they would soon be reinstated; and they also asserted that eight hours were sufficient, and that whoever worked more superseded the labour of others. So that the House might see that if they gave in to the principle of interference, there was no reason why they should not go the length of eight hours instead of 10. His opinion was, that ten or twelve hours a day was too long to labour; and there was not a Member of that House who would not vote such a thing in his own case an intolerable nuisance. But what he deprecated was any legislative interference on the subject; and he contended that the arguments of those who supported such a proposal were all as applicable to ten hours' labour as to twelve.

He would read, with the permission of the House, a letter from a gentleman, who had what might be termed the model factory of Scotland, either for extent or management, and he particularly called the attention of the noble Lord the Member for the city of London to the subject; the gentleman to whom he referred was willing to try the effect of diminished labour, and for that purpose made a proposal to his operatives, which would be found explained in the following letter:—

"Allow me to communicate to you the result of an experiment which I made at my works last summer, as it appears to me to bear upon the question of the Ten Hours' Bill. Early last spring I applied to the directors of the Botanic Gardens here for forty transferable tickets for the use of the operatives in my employ, for which I paid ten guineas, becoming responsible at the same time for the respectable appearance and good conduct of those who might visit the gardens. These tickets I placed in the hands of the doorkeeper, with instructions to give them to such workers as were recommended each day by the managers. It was made known to all the workers that two or three of them out of each room or department would be allowed leave of absence on the afternoon of any day on application being made to the managers the day previous. The places of the absentees were to be supplied by extra hands got for the purpose, who of course were to receive the half day's pay. I conceived, by this arrangement, that the hours of labour would be reduced on the best and safest principle. It was optional on the part of the operatives whether they availed themselves of it or not. If they did avail themselves of it, it was only at the cost of half a day's wages. Instead of reducing their daily labour, it gave them about once a fortnight a half-day's holiday, which most prefer. The reduction of labour so obtained was not injurious to the employer, nor did it expose him to any prospective risk or loss, nor lessen his power of competing successfully with the spinning manufactories of other countries where the hours of labour are longer—in some countries much longer than in this, and where facilities are increasing. The experiment was a failure. The applications for leave of absence at first were numerous, but in a few weeks they ceased altogether. The great objection was the loss of the half-day's wages. And yet they were making tolerably good wages—the women from 8*s*. to 18*s*. per week, and the men in proportion."

He wished to draw the attention of the noble Lord the Member for London to one fact, and it was not only a fact, but an astounding fact, namely, that if, by the operation of this measure, one day's less production a week was caused, it would amount as nearly as possible to the entire quantity of cotton goods consumed in this country. He stated it as a fact, that of the whole quantity of cotton spun into yarn, there was only one-eighth consumed in this country; therefore the effect of this measure would be at one blow to prevent the production of the whole quantity of cotton yarn consumed at home. The total quantity of yarn spun in England in 1843 was 399,0000,000 pounds weight; of this there were exported 341,000,000 pounds, leaving for home consumption 58,000,000 pounds. Now, by the proposed measure, there would be a reduction of one-seventh of the whole quantity of cotton yarn spun, being very nearly the whole amount consumed in this country. He had in his possession an immense number of letters from various parts of the world, showing the exceedingly great difficulties which the manufacturers of this country had in competing with foreigners, especially with the French and the Americans. He had letters from Buenos Ayres, Valparaiso, China, and, in fact, from nearly all parts of the world, to this effect. One party stated that—

"Having had establishments both in Monte Video and Buenos Ayres for the last twenty-five years, we have had opportunities of knowing the large and continued imports into the markets of cotton goods from the United States of America, and to such an extent as, for a good many years past, to have compelled us to decline almost wholly the receiving of consignments of similar goods made in this country."

It must not be supposed that this country had anything like a monopoly of the cotton manufacture, because during the last ten years, while the increase in the consumption of cotton in this country was but 50 per cent, in France it was 131 per cent, and in the United States upwards of 200 per cent. This was a most serious fact, and one well worth the attention of the House, especially with such a measure before them as the present.

Lord J. MANNERS said: A Gentleman who virtually guides the destinies, if not of the Empire, at least of the Cabinet, assured the House of Commons, a few days ago, that any farther deliberation by Parliament on a great question, with which his name will henceforth be connected, was useless and offensive, inasmuch as that question had been settled out of doors. I know not how that may be with respect to the Corn Laws; but if efforts the most persevering, conducted not only without the assistance of, but against the opposition, of enormous wealth—if the repeated and unanimous prayers of a toiling population—if the marked absence of anything approaching to a difference of opinion among the hundreds of thousands whose hopes are to be fulfilled or disappointed by us to-day—if all these are symptoms of a question settled out of doors; then, Sir, I think the

Ten Hours' Factory Bill may lay claim to the hon. Member for Stockport's definition, and, as a consequence, his support. It is then to a question, already settled out of doors, on the side of which the reason and intellect of the working men of the North of England, no less than their sympathies and affections are enlisted—a question that has already received the sanction of the leaders of the Whig, and Tory, and Radical parties—it is to the consideration of such a question that the obstinacy of the Ministers compels us to come. The analogies and dictates of nature, if not the direct voice of revelation, the experience of man, the prayers of the people, the admissions of opponents, the appeals to reason, the pathetic accents of manly eloquence, and woman's tears, all fail to move those whose master is Mammon, whose cause is competition; and instead of a House of Commons responding to the just and moderate request of a population on whom we affect to rely, with ready acclamation, we are compelled to listen and reply to speeches such as that delivered by the right hon Gentleman (Mr. Labouchere). But, Sir, in arguing this question, I am met at the outset with a difficulty; it is Proteus we have to encounter. Is it a great principle or a mere accident, a temporary difficulty or an eternal truth, that comes between these poor labourers and their wishes? I cannot collect which from the speeches of the triumvirate that spoke the other day. The hon. Gentleman the Member for Montrose, indeed, spoke gallantly of a principle; but his most serviceable ally, the Secretary of State, defended all past violations of that sacred principle, talked of compromises, hinted at the inopportuneness of the present moment, and plunged deeply, as no man who vindicates a principle, need do, into calculations and figures. Well, then, Sir, as Parliament from time immemorial has only taken notice of the hon. Member's principle of non-interference between capital and labour, in order to disregard it, I trust he will not be offended if I combat in the first instance the right hon. Gentleman's facts, figures, and inferences. In the commencement of his speech the right hon. Gentleman rested his case on the inexpediency of any concession; he had found out, that although the working men would accept a compromise of eleven hours, they would not pledge themselves for ever to that period of labour. If they had given that pledge, I understood the right hon. Gentleman to say, their request might have been favourably considered. Well, then, with him it is only a question of expediency. Let me ask him, and the House, if on this low ground alone, many considerations are not to be found in favour of this Bill? What is the picture the short-time movement presents? The working men, sanctioned and encouraged by the clergy, the dissenting ministry, and by the medical profession, range themselves on one side: in opposition to them stand —who? Their employers. They whose wealth they make, whose power they create, whose importance they subserve, to whose luxuries they minister: and the Executive Government of the day, which just now is remarkable for nothing so much as its partnership with those employers. Every year, as the boon has been withheld, they have been gaining, you have been losing, ground; their ranks swell as yours decrease; and I now ask you, is it politic—is it expedient—for the Executive Government any longer to place itself side by side with capital and wealth, against the unanimous wishes of the working men, and the deliberate judgment and calm convictions of the clergy and the medical profession; and thus to hold up capital to the hatred and contempt of those who toil to create it? The right hon. Gentleman then went on to argue, that although the literal working of the Bill affected only young persons and females, to whom were it practically confined, I gathered the right hon. Gentleman would not oppose it, in effect it would operate upon adult male labour, and the very working of machinery itself; and he warned the House against entertaining any measure which even incidentally might interfere with adult male labour. Why, Sir, what an argument is this? Here is a measure which proposes to limit the hours which females and young persons shall work, to that period of time beyond which all medical experience asserts labour to be prejudicial to them—a limit which the right hon. Gentleman, by implication, admits to be right and just in itself, but which he calls upon us to reject, lest in its operation it should be found to extend its blessings to other and older drudges; and so helpless women and unreflecting youth are to be sacrificed, lest weary manhood in the factories should only work as long as his fellow countrymen work in other classes of labour. Any one who listened to the right hon. Gentleman's arguments on this part of his case—to his indignant protest against the tyranny that

would prevent the adult labourer from working his twelve hours a day, would imagine he was listening to an accredited advocate of a great body of factory workers, who felt that out of a mistaken regard for their wives and children, the House of Commons was about to deprive them of the benefits of their dearest rights and privileges. But what is the fact? Does the right hon. Gentleman plead for the majority of adult males in the factories? Does he plead for even a thousand, a hundred, twenty, or ten? Not so. Nearly a quarter of a million of human beings have asked for this measure; and the right hon. Gentleman has not one solitary petition from a solitary unit of that great class, in whose name he appealed to us, to justify his position, or certify his fears. I now come, Sir, to that portion of the right hon. Gentleman's case which most astounded me—I mean where he urged the present position of the Corn Laws as an argument against this Bill. The right hon. Gentleman would appear to live from preference in a perpetual political merry-go-round. On the 10th of May, 1844, he said, "Was it common sense or justice, the Corn Laws being maintained, to restrict the hours of the labourers by one-sixth?" Well, those words, and other more decisive spoken in private, were successful, and the Ten Hours' Bill was rejected, in order to retain in office a protection Government; it is now to be rejected, because the same Government is no longer protective, but free-trading. "Look," cries the Home Secretary, "at the injustice you are committing: you have not yet repealed the Corn Laws"—although the noble Lord the Member for Falkirk, by the way, a month ago, assured his late constituents that they were, in fact, repealed; and although that is the universal language of all the right hon. Gentleman's allies—well, "you have not repealed the Corn Laws: the manufacturing millennium is not, consequently, commenced; but you have reduced the protection upon manufactures, and can you, with common fairness, having thus exposed our manufacturers to foreign competition, take away the advantage of working long hours?" Now, Sir, I have one or two remarks to make upon this appeal *ad misericordiam*. In the first place, Sir, whose fault was it that the duties on foreign manufactures were reduced? Did the operatives of Manchester or Leeds ask you to reduce them? Did the agricultural interest—to be sure you would not have listened to it if it had—but did the agricultural interest ask you to reduce them? No: the free-trade master manufacturers, to prove how sincere was their reiterated statement that English industry needed no protection against foreign industry, asked you to repeal those protective duties, asserting they were of no use to them at all. But are we now to understand that all those great professions were but brave words, and that this reduction—mark, not repeal, but reduction—of protection has filled them with fear as to the effect of foreign competition? Well, if this be so, I must observe, in the second place, that as they were the only people in the kingdom who asked for that reduction, they must pay for it themselves, or else submit to be regarded as the emptiest of boasters, the most hypocritical of patriots. And let me, in the third place, direct the attention of the acute and intelligent working people out of doors to this remarkable plea of their free-trading rulers. It amounts in brief to this—that the price the operatives in the north of England will have to pay for free trade is two additional hours of labour every day. Now, mind, it is not I who say so; it is the right hon. Gentleman who states it broadly. The master manufacturers denounce all protection—protection is about to be taken away altogether from agriculture, partially from manufactures, and this partial withdrawal is held to be so serious a weakening of this mighty interest, that unless women and children are worked two hours a day longer than all medical experience asserts they ought to work, the commerce of England is ruined, and her manufactures destroyed. This, Sir, is the protection, then, with which the master manufacturers will not part—this the protection they so tenaciously cling to—this the one thing in Church and State that the Government will not alter—the legalized overwork of women and children. But, before I quit this part of the subject, let me say to the leaders of this timid, braggadocio interest—let me say to them, who come whining about the difficulties they encounter from a diminution in protective duties—that the agricultural interest will give them back their 20 per cent, and submit to the injustice and inequality thereby occasioned, in order to give the working men of the North this Ten Hours' Bill. Mean and contemptible, therefore, as was the position assumed by the right hon.

Gentleman, it is absolutely no longer tenable. Then the right hon. Gentleman, following in the wake of the hon. Member for Montrose, hazarded the bold assertion that the advocates of the Ten Hours' Bill had entirely overlooked the stress of foreign competition. Why, at least one-half of Lord Ashley's great speech in 1844 was given up to a most minute and accurate analysis of the hours and system of factory labour in other countries. There was no country from Russia to America where cotton or wool is manufactured that escaped Lord Ashley's attention; therefore the charge was unfounded; but even had it been otherwise, how strange a charge to come from our philosophic free-trade Government — through what different spectacles they must view themselves and other people! With the most perfect indifference they can submit the agricultural industry of this country to a wholly free competition with foreigners, but are horrified at the idea of shortening the hours of labour in our factories, unless other countries will do the same. Why, how many days ago was it that the Premier derided the idea of reciprocity, and conjured us to give up waiting for other counties: *fiat justitia ruat cœlum* was then his motto. "Never mind the farmers without capital, the cottiers without potatoes—never heed the sayings of M. Guizot, or the doings of the Zollverein; let England set the great example," and gloriously succeed, or greatly fail. Well, whatever we may think of the wisdom, one cannot but admire the enthusiasm and chivalry of such language, though one rather wonders at its being called forth by so matter of fact a goddess as Commerce; however, a few days after, Humanity makes, or is supposed by the right hon. Baronet to make, a similar appeal to English daring, and English valour. The right hon. enthusiast of course answers the appeal, and sets an example to the world? Not a bit of it. For the sake of commerce he will risk the welfare of millions: for that of humanity he dare not face the seventy-two hours a week which Frenchmen or Austrians work. Whence, Sir, this startling difference? Why so rash in March, so timid in May? Why is the right hon. Gentleman's mind—

> "All see-saw between that and this,
> Now high, now low, now master now miss,
> And he himself one strange antithesis."

Alas! Sir, there is but one answer; he and his Government are but the vassals of a section of the master manufacturers. Towards the close of his speech, the hon. Gentleman said, that work was the lot of man, and that if you interfered with his labour, you interfered with his wages, and that the adoption of a Ten Hours' Bill would be a tax of 16 per cent on his wages. Will the hon. Gentleman allow me to ask him at how much he rates the tax he himself helped to impose, when the hours of labour were reduced to twelve? Did wages fall 20, 15, 10, or 5 per cent, in consequence of that reduction? Have the working men petitioned to be restored to the happy state of unlimited toil, and, consequently, unlimited wages? Will he tell me by how much the wages of the workpeople in all the arsenals and docks of France have been reduced, in consequence of fifty-two Sundays being subtracted from their period of work? Has one-seventh of their wages been cut off with one-seventh of their work? And was that the answer which the King returned to the Archbishop of Paris, when, in the name of the Gallican Church, he asked for that reduction? But the right hon. Gentleman relied on facts, and quoted the failure of Mr. Horrocks' experiment. Now, that partial failure was explained away at the time; but even admitting it to be in some sense a failure, there is the successful experiment of Mr. Gardiner to set against it; and I will adduce an analogous experiment on a far larger scale. In the year 1829, the masters and the men in the Nottingham trade agreed to work only twelve hours in the day, and signed a deed to that effect. Well, what was the result? Did wages fall? No, they rose. The wages of the men rose, the profits of the master rose, and the stocks on hand diminished. So things went on for a year, at the expiration of which, some few masters, allured by the temptation the short stock on hand held out, disregarded the agreement, returned to the old unrestricted system, and, of course, compelled others to do the same. Well, what was the result then? Did wages rise? Not a bit of it; in nine months wages fell from 6*d.* to 3*d.* per hack, and the profits of the masters declined 25 per cent; and I appeal to any one connected with Nottinghamshire to testify to the miserable condition of those who are now blessed with unrestricted hours of labonr. Sir, the effect of such a regulation as we propose would be to equalise the amount of labour over the year; but this disposes of another plea of the right hon. Gentleman — it proves

that you cannot leave this question of factory labour to be settled by capital on one side, and toil on the other. Here, in a limited field of trade, the attempt was made; the cupidity or fickleness of half-a-dozen capitalists broke in upon the engagement in a short time. What hope, then, have you that in the far larger field of manufacturing industry, where the masters are counted by thousands instead of by hundreds, you can arrive at unanimity, or expect it if arrived at, to be lasting? No; I say it is a delusion and a deceit to tell the people that they have only to arrange it with their masters. Why, the men have done their part already; they have declared, over and over again, with increasing earnestness that they will accept the ten hours' limit with all its chances. But have the masters done their part? No; those who are favourable, naturally ask, that others shall be put on the same footing with themselves, and those who are unfavourable will of course hold back until compelled by law. To legislation, then, we must come. But stay, there is an alternative, and one to which it would really appear Her Majesty's Government and their allies are willing to drive the people—strikes and combinations. The hon. Member for Montrose objects on principle to law sanctioning the wishes of the working people; but he has no objection—quite the reverse—to their gaining their objects by strikes, combinations, and the pressure of force on reluctant masters. [Mr. HUME: I asserted nothing of the kind.] Well, if the hon. Member did not say this, I of course retract. I should have used the words combination of working men in order to oblige their masters to carry out their proposals. But far from agreeing in the expediency of such a means of settling the question, I think, on the contrary, that in a country like England no more dangerous system can be introduced; and I am sure that the great body of the Manchester traders, builders, and manufacturers will agree with me in this view, for I believe that not long ago a deputation waited at the Home Office, on their part, to ask whether the Government would interfere in their behalf against the demands of their men. Is it now to be announced to the working men that the Government has finally and formally made up its mind to abdicate those functions of protection and interference which every Government heretofore professed to exercise on behalf of the working classes? The power of wealth is increasing every day. The State is daily contracting its governing and guiding operations; until now, when labour comes, and prays to be protected by law against the tyranny of wealth, the State answers, "No; the governing powers have relieved themselves of all the paternal functions they once fulfilled—they cannot interfere. Do your best, suffer your worst; so long as you pay taxes, and give us, the gods of Epicurus, no trouble, it is a matter of supreme indifference to us whether you are overworked or not, whether you have time to enjoy this life and prepare for another or not—we take no concern in your physical comfort or moral improvement, the strength of your body, the growth of your soul, the direction of your intellect. That is your affair. We are tax-gatherers and policemen—see in us for the future nothing more." Well, that is your theory of government, which you call upon us this day to sanction. I, for my part, protest against so grovelling, so money-grubbing, so ignominious a system. I say it is full of difficulty and full of danger. I say with Mr. Carlyle, that a government of the under classes by the upper, on a principle of "let alone," is no longer possible in England in these days. I say with him—

> "The working classes cannot any longer go on without government—without being actually guided and governed. England cannot subsist in peace till, by some means or other, guidance and government for them is found."

I accept this Bill as an earnest of good, paternal, patriarchal government for the future. I hail it as a common standard, under which all who are impressed with the great truth so eloquently announced by Mr. Carlyle, be they Tories, like myself, Whigs, like Lord Grey, or Chartists, like Mr. O'Connor, may cordially and earnestly unite; and I look forward with joyful anticipation to the time when the working men of this wealth-ridden country shall be able to regard with just feelings of pride and gratitude a House of Commons that thought its highest duty and its dearest privilege was, to minister to the wants, direct the wishes, listen to the prayers, increase the comforts, diminish the toil, and elevate the character of the long-suffering, industrious, and gallant people of England.

MR. TRELAWNY thought the exertions of Lord Ashley in the cause of factory labourers had not been entirely thrown away, though, undoubtedly, he had occa-

sionally overstated the evils he sought to remedy. He said they were not thrown away, because it was always important for purposes of general legislation that the public should be familiar with the state of society for which laws were to be made. Still, however, the House should beware of exaggeration even in a well-meaning advocate. One example might be produced. It was stated, he believed, on one occasion in debate, that labourers in factories sometimes walked thirty-seven miles a day during their work. Experiment had demonstrated the absurdity of the statement. The real distance had been shown to be eight miles. He very much doubted whether the evils attributed to factory labour were justly so attributable. It should be recollected that one circumstance calculated to create a contrary impression was, that it was an incident of factory labour that large bodies of workmen were assembled in confined localities. The evils were seen *en masse*. Suppose other bodies of labourers were to be so condensed, would the comparison be very strikingly to the disadvantage of factories? As to earnings, it was unquestionable, for example, that factory wages were far superior to agricultural. Then, too, much of the evil attributed to factory labour arose out of the existence of densely populated towns. These might be rendered far less unhealthy by parks, streets thrown open, better drainage, and ventilation. It was a curious thing, but a true one, that there was no tyranny against which labourers more strongly rebelled than that of being compelled to submit to regulations calculated to promote cleanliness and health. Let any one see with what devotion the rural population cherished their cesspools. Then, too, if a landlord built a cottage scientifically ventilated, it could hardly get a tenant. The working classes were on no point more ignorant than on the subject of what tended to improve their sanatory condition. This it was, and not the kind or duration of labour in factories, which caused much of the evil complained of. The supporters of the present measure were much too easily satisfied with their own remedy. So strongly did they feel on the subject, that they seemed to think reasoning upon it almost profane. They considered the question settled as to argument. With them it was a question, they said, "between mammon and mercy;" and something was sometimes added about the "wretched materialism" of the age. He supposed the expression was launched at the political economists. But the House should recollect what Mr. Huskisson said on an occasion when he was attacked in a similar way. "Some Gentlemen," said he, "sneered at theorists and political economists, for no other reason than because they argued from principles their adversaries could not controvert, and proceeded by deductions which they could not refute or deny." He felt assured that in time the ideas of the economists would be appreciated as the only sure basis of practical legislation. Non-interference, as a rule, was safer than interference based on hasty impulses, however praiseworthy. He repeated, hon. Members were far too well pleased with their remedy. But, in point of fact, there was a lamentable want of connexion between their premises and conclusions. Indeed, it seemed a sort of habit with the House, when great evils were made apparent to its view, to jump at once to the conclusion that almost any restrictive or coercive course of action must necessarily be productive of beneficial results. A ready example occurred in the case of the Coercion Bill for Ireland. Government had excited the horror of the House by minutely detailing the circumstances of several cases of assassination in Ireland. The House seemed ready to vote, without more discussion, that the Coercion Bill should be passed, whilst probably not ten persons had ever taken the trouble to examine into the probable working of the Bill, if carried into a law. The syllogism which satisfied hon. Members seemed to be this: "Ten hours' work is more endurable than twelve. This Bill proposes ten hours. Therefore, this Bill ought to become law." But they were told that labourers themselves desired the change. How long was it since the opinion of labourers on what best suited their condition first became so infallible? Labourers had at times had other panaceas, such as universal suffrage; and when millions of labourers had asked for the five points of the Charter, their proposal scarce obtained a hearing. The fact was, labourers had not foreseen the ultimate consequences of such a measure. This was evident from the fact of their disbelief in the probability of a reduction of wages. Then it was argued that the principle of interference had been conceded by general consent, and that the question was merely one of degree. That argument made nothing for the supporters of the Bill. Each step

in advance must rest on its own merits. To maintain that the fact of an existing limitation to twelve hours afforded any ground for the proposed limitation to ten hours, was preposterous. As well might a patient who had survived a small dose of some active poison, deem that a sufficient ground for doubling the dose. At all events, if there was anything in the argument, it was as good for eight hours as for ten; and, accordingly, the hon. Member for Oldham had talked of eight hours on one occasion. But why not interfere with all labour? Why exclude nearly twenty species of labour from the operation of this measure? Why not shorten the hours of labour during the harvest season, when fifteen or sixteen hours' labour was obtained from the exhausted farm labourer by the false stimulus of intoxicating liquors? Why leave 15,000 milliners in London without remedy? Or the 100,000 female servants? Why should copper and tin miners be allowed to work night and day some 200 fathoms underground? The measure was merely a mockery of the sufferings of the working classes. Their cry for relief was met by something intended to be benevolent, but which, had it come from a cynic, might be taken for the most bitter irony. They demanded diminished suffering by toil. It was generally accorded to them. But at what cost? Why, diminished remuneration? Was it right to raise sanguine expectations of benefits to be obtained, and then to create feelings of cruel disappointment? Why not adopt a proposal for fixing a minimum price of labour or a minimum price of bread? If the time of work were to be restricted, why would it not be but bare justice to fix the rate of remuneration too? And to do this effectually the price of bread ought to be settled by Act of Parliament. He wondered hon. Members did not carry their notion further still, and fix the amount of capital which each capitalist should be allowed to embark in speculation. Why should the owner of 500*l.* tyrannize over the owner of 50*l.*, offering, perhaps, because his means afforded it, to take a lower rate of interest? But the cardinal objection to the Bill was, that it was not a tax upon the whole people for the benefit of a part, that part suffering from the severity of toil or from destitution —not a tax that would be defensible in principle; but that it was, ultimately and in results, a tax levied on a part of the people to relieve another part. In other words, it was an attempt to reapportion property. It was therefore an aggression upon property, as much as if the Legislature said to one man, "You are too rich," and to another "You are too poor; the strong arm of law must restore things to their proper level." It was even more mischievous; because what was taken from one class to be given to the other, instead of ever reaching the persons intended to receive it, was lost, spent, and wasted in the very process of conveyance. How was this? It might be shown without difficulty, and in point of fact became apparent, when it was proved that this measure, while it invaded capital, and violated vested interests, at the same time reduced the rate of wages. But perhaps some one would say the interference was not with adult labour. Yes; but it was an admitted point that the interference with the labour of children and young persons was practically interference with the labour of adults. The invasion of property was threefold; first, with that of the manufacturer, who had invested large sums in mills and other works, on a calculation that on the supposition that the law would not carry further the principle of interference, he would obtain a certain amount of profit for his capital embarked. A very trifling change was enough to displace capital. The last feather turned the scale under circumstances of the severe competition in which foreign and domestic manufacturers were engaged. Whilst such uncertainty remained with respect to the times and modes in which the State might choose to interfere between masters and men—when no man could tell what change the next day might bring forth, whether twelve, ten, or eight hours were to be ultimately settled upon—how could capitalists feel confidence in the schemes in which they were embarked? Practically, then, the profits of capital already embarked were invaded, and the field for employment unduly confined. The effect of this was enhancement of the price of commodities arising out of the check thrown in the way of the employment of capital, and the reduction of wages caused by the diminished demand for labour. Doubly were labourers injured; because, while they earned less, they would buy more dearly. Secondly, there was interference with property directly in the case of factory labourers thus restricted in the hours of their work, and indirectly with the whole labour market; for it was absurd to suppose that, unless manufacturers increased the velocity of

their machines, and obtained twelve hours' production out of ten hours' employment—in which case labourers would derive no advantage from the Bill—the same amount of wages could be given for ten hours as had been given for twelve hours. Labourers, therefore, who expected from this measure diminished labour, would find that they got it by a process which simultaneneously diminished the amount they earned. To exemplify the hardship, let the House take the case of an able-bodied man capable of enduring twelve hours' toil. Was he to sit with his arms folded, contemplating a sick wife and a starving family, because his emaciated fellow labourer could endure but ten hours? Were not the sinews of the labourer his sole capital? Was not the injustice greater than if the interference had been between larger and smaller capitalists, who could better bear the privation? Directly, then, the very men, whose benefit was sought, were injured. But still further, all labour was affected. The able-bodied labourers, driven out of one, would seek other occupations, and artificially beat down the prices of other classes of labourers, and thus the injurious effects of this measure would be multiplied in every direction and every form. There was something very similar in the arguments in favour of an extended system of out of door relief under the Poor Laws, and those of the supporters of Factory Bills. In each case the present distribution of property was practically complained of as oppressive to the working classes. In the case of the Poor Laws it was urged that he who toiled ought to have a larger share of the fruits of his industry. Luxury in the wealthy should be taxed more than it is for the relief of the necessitous; at first this might seem a simple and plausible solution of an intricate social problem; but, in reality, it might be doubted whether it was any solution at all. Suppose, for example, you were to call on property for one-tenth of its whole amount, to be distributed amongst the poor. What would you do but assail the stock by the productive employment of which the poor are fed? So long as anything remained to divide, all might go on well enough. Discontent might be lulled; an unnatural stimulus to population would be given. Society would be in the condition of a man living on his principal instead of his income. At last, a revulsion would take place; the quantity of food and necessaries would become less in relation to the number of consumers; and a fierce competition in the labour market would commence, to determine who should share in the wreck which remained of the national resources. Now, he thought a precisely similar effect would follow from interference with the hours of labour. Practically, it was a peculiarly objectionable attempt at out of door relief. Pronouncing that men should only work a certain number of hours, and therefore diminishing wages, you would necessarily extend the bounds of the destitute class, whom you must relieve, because you would have arbitrarily denied them the right to help themselves. The Bill was now more than ever to be regretted, because it was a step in a direction opposite to that of the commercial policy of the present time. It commenced a reconstruction of a restrictive system almost upon the ruins of a kindred one just overthrown; and thus excited a sort of despair of the ultimate ascendancy of any sound principles whatever. It was said experiments had been made of the effect of reducing the duration of labour, and that the results were good. As to such results, he thought it ought to be considered that it was incidental to this kind of change that the good was more easily discernible than the evil, where both existed. The effects of a disturbed labour market might exist in full force without lying on the surface. Many a family might suffer from want, arising out of interference, whilst the adjacent factory might seem admirably regulated, and might present an exterior of even comparative comfort. In short, he could not help strongly deprecating the present scheme. He could not see where it was to stop, when every one was accused of inhumanity, or at all events, of a bigoted adherence to economical doctrines, who dared to offer an obstacle to the headlong course on which a mistaken benevolence had embarked. He believed it would be deeply injurious to the interests of masters and men. It was an attempt at out of door relief in disguise: at best, its effects could only be illusory, and they, probably, would be most mischievous. Holding these views, he must give the Bill his moss decided opposition.

Sir ROBERT INGLIS said, he agreed in the sentiment expressed by the hon. Member who had just addressed them, as to the definition of political principle. He agreed that political principle was an induction from facts, and that in this it differed from religious and moral principle, which was derived from revelation. He would admit,

therefore, that they were bound to consider the application of facts to their arguments. It was only those who were in a state of happy ignorance as to the fact, like the hon. Gentleman and the hon. Member for Glasgow (Mr. Dennistoun) who had preceded him, who could regard this Bill as the first encroachment on a great principle. He felt with the noble Lord and others who had spoken in favour of the measure, that the Government had conceded the principle of interference with labour long and long ago; and they were not therefore now to consider whether this interference ought or ought not to be made. They had already interfered with the duration of labour; and the fact at issue now was, whether they had arrived at that point of interference beyond which it was not safe or right to go. The advocates of the Bill denied that they had arrived at that point. They believed that self-interest, as well as what was due to others, required them to give their assent to the measure before the House. He should feel perfectly satisfied to rest the case for this Bill on the speech which they had just heard from his noble Friend—a speech the talent in which was equalled only by the high principles which it displayed. He rejoiced that there was found in that House one to support this Bill who united the talent and principle of his noble Friend Lord Ashley, and who had performed the task imposed upon him in a manner which Lord Ashley himself could not desire to have more worthily executed. But who had been the first advocate of a Ten Hours' Bill? Was it any enthusiast—any one not himself connected with manufacturing? No; but it was the late Sir Robert Peel himself. The right hon. Gentleman, in alluding to the first Bill on this question, should have gone to the faithful *Hansard*—faithful thirty years ago as it was now—and he would there find, in the speech of Sir Robert Peel, the very language and opinions now put forth by the hon. Member for Oldham, and those who had followed that hon. Gentleman, with regard to the limitation of the hours of labour by persons under eighteen years of age. In the speech of Sir Robert Peel, on the 6th of June, 1815, in asking leave to introduce his Bill, he used these words—

> "And that the duration of their labour should be limited to twelve hours and a half per diem, including the time for education and meals, which would leave ten hours for laborious employment."

He would ask—always admitting the faithfulness of their friend *Hansard*, and the accuracy of his reports—whether it were possible to contradict a statement so explicit as that was? Therefore, whatever value could be derived to a proposition such as this from the weight of great experience, was brought to bear in support of the present measure by the advocacy of the hon. Member for Oldham, and the testimony of the late Sir Robert Peel. But it might be said, that Sir Robert Peel's Bill was not so limited. He quite admitted that the Act as it stood went to 10½ hours, and it was probable, therefore, that it had undergone some slight alteration in Committee. But be that as it might, on the 15th of June, 1815, the Bill passed with this provision, that—

> "From and after the 15th of April, 1816, no person being under the age of eighteen years shall be employed in any such mill, manufactory, or building, for more than 10½ hours each day."

He had, however, before shown what the late Sir Robert Peel desired should be the law of the land; and he would repeat that no man maintained a higher character for intelligence as well as humanity than that hon. Gentleman. It was besides impossible to find any man who had a deeper interest in the prosperity of manufactures than he had. But who was the hon. Member who brought forward the Bill on the present occasion? An hon. Gentleman, whose firm, it had been stated, and uncontradictedly stated in that House, at one time worked up the hundredth part of all the cotton imported into this country. Was that hon. Member, he would ask, an individual whose opinions should be overlooked on such a question? He did not see the hon. Member for Oldham then in his place; but the fact which he had stated concerning him had been, he believed, uncontradicted. They had, therefore, no mere enthusiasts for the last generation, none for the present generation, as the exclusive advocates of this measure. They might accuse his noble Friend near him, Lord John Manners, or his noble Friend, Lord Ashley, whom, though absent, he felt honoured in being permitted to call his Friend, with wild enthusiasm or measureless philanthropy, and with a want of that interest which a stable Government must feel for every class of the community. But they could not accuse the late Sir Robert Peel, or the present hon. Member for Oldham, with visionary views. Both in the one case and the other, the parties must have been deeply interested in the prosperity of the manufac-

turing body. And this reminded him of a passage in the speech of the hon. Member opposite, which he was near forgetting. The hon. Member asked why did they not deal with the fifteen or sixteen other branches of labour in the country? It should be recollected, however, that they had here the fact of several classes of labour being regulated, as it were, in one group, by the application of steam to the work on which they were engaged; and this afforded the reason and the means for interfering which were not afforded in other kinds of labour. They had, besides, no allegations of excessive continuance in the case of field labour. But it had been said that whenever they proposed any relaxation, they were entailing, as a necessary consequence, common ruin both on the manufacturer and on the operative. No relaxation had ever been given which had not in the first instance been met with the same declaration; and yet who were ruined? Were the master manufacturers ruined by the former relaxations? It had been unanswerably put forth by his noble Friend that the tax imposed on the manufacturer by former relaxations had been greatly above that attempted to be imposed by the present Bill. ["No!"] What was the meaning of that emphatic denial? Was it not a clear matter of fact that formerly the duration of labour was unlimited by law? Would the hon. Member for Bolton deny the fact that thirty or forty years ago there was no limit fixed to the hours of labour? The Legislature had, however, interposed, and had fixed a limit by what at the time was regarded as a very extreme mode of interference; but had the master manufacturers been ruined? Had the wages of the workmen diminished? He had the authority of the superintendent of one of the greatest mills in this country for stating that wages had not diminished. The individual to whom he alluded stated that in the mill in which he was employed, and which he (Sir R. Inglis) believed belonged to the hon. Member for Oldham himself, the people now earned the same amount of wages as before the reduction of the hours of labour had taken place. This, it was true, was owing principally to the kindness of the master; and it might be said, why did they not allow the masters to adopt a similar course elsewhere without an alteration in the law? But he would tell the House that they should not rely too much on individual kindness when opposed by feelings of avarice and private advantage. They should have a general law on the subject; and not, amid the temptations of other examples, leave it to the consciences of individuals to discharge their duties to those employed by them. Experience had shown that you must not rely on individual kindness or public spirit, as opposed to the general spirit of avarice and the desire of gain. As in the case of the closing of shops on Sunday, you must have a general law. It further appeared from the statement of this writer, that the hon. Member for Oldham had reduced the number of hours in which work was required, by one hour and a half in the week; and the noble Lord (Lord J. Manners) had well shown that the effect of such arrangements was, that the wages would still be the same, whether the working week were six days or seven days. The writer to whose statement he referred, added, that in the mill in question, the same wages were paid in proportion for six hours now, that were paid for seven hours before the reduction. It appeared, therefore, that neither had the master manufacturers been ruined—for their stately mansions proved, at least, that they did not come *in formâ pauperum*—and further, that wages would continue to be the same even were this limitation applied. He (Sir R. Inglis) would not have trespassed further on the House, but that the right hon. Baronet the Secretary for the Home Department, with a forgetfulness, no doubt, unintentional, had not stated exactly what passed when that House substantially confirmed the principle of a Ten Hours' Bill. The point at issue was, whether, when the House affirmed by a majority of 9 that "12" should not stand part of the Bill, they did or did not mean that 10 should be substituted. The affirmative of this was denied by hon. Gentlemen who opposed this Bill. But what then did the House mean? Did those hon. Gentlemen contend that it meant to substitute "6," "7," or "8," for "12?" No, they did not. And the whole debate showed that it was a question between 10 hours and 12 hours, and therefore, when the latter number was rejected, the House must have meant that the word "ten" should stand part of the question. He was aware of the difficulty hon. Members at that time felt — even those who voted — to know what they were doing; but he was prepared to say, notwithstanding the sneer of the hon. Member for Durham, that those who divided against the 12 hours' propo-

sition were aware that they were engaged in an almost sacred cause, and one to which they could devote themselves without any scruple whatever; because, while they were asserting a great principle, they were at the same time not affecting the interests of any portion of Her Majesty's subjects—certainly not of the manufacturers themselves. As a further confirmation of what he had said, he would recall to the right hon. Baronet's mind what he would no doubt find, on recollection, to have been the case—that the proposition made by Lord Ashley when the question was resumed after two or three weeks, was, "That the word "ten" should stand part of the Bill;" and he then stated, that he put it in that way to accommodate the Government, which wished to take the sense of the House on that question as early as it could be again had.

SIR J. GRAHAM said: Sir, I rise to explain, in consequence of what has just fallen from the hon. Member for the University of Oxford. First, with regard to the late Sir R. Peel. The fact is, that while I was arguing on a former occasion, that Sir R. Peel's Act had not sanctioned any interference beyond twelve hours, the hon. Member for Oldham interrupted me across the Table, and referred to the Bill as first introduced by the late Sir R. Peel; and I am not sure whether he did not refer to the late Sir R. Peel's speech also. I then stated expressly that I alluded to the Act of Sir R. Peel as it existed on the Statute-book. Of course, I am not about to dispute what is notorious to the world, from its being published in the debates, that Sir R. Peel originally proposed a greater interference than that which was ultimately carried into effect in his Bill. Then, as to the last point, namely, my statement that this House had never by its vote sanctioned a Ten Hours' Bill; let me call the attention of the House to the facts as they stood on the 15th of March, 1844. The Bill of the Government was discussed; and in that Bill the Government proposed that the definition of "night" should be from eight in the evening till six in the morning. Lord Ashley, on the other hand, proposed that night should be defined to be from six in the evening to six in the morning; and I admit that that proposition was made by a private arrangement with the noble Lord; and I said virtually it would be a discussion of the ten hours' principle, as contradistinguished from twelve hours. The noble Lord succeeded in striking out the definition of the Government, and substituting by a small majority his own definition; and on that occasion I stated, that although the Government had been defeated on the question of the definition, a more substantive opportunity of ascertaining the sense of the House on the ten hours' principle would occur when the limitation of the hours of labour, in a subsequent clause, should come under discussion. On the 24th of March, the 8th Clause raised that question. The proposition of the Government was, that the limit should be twelve hours. The question was put as in point of form it must be put, namely, that the blank should be filled up with the word "twelve." Upon that division there was a small majority for not filling up the blank with the word "twelve;" and then came the real substantive question, whether it should be filled up with the word "ten," which was raising the question of ten hours, directly and in express terms; and on that occasion several Members, among them the hon. Member for Leeds, who voted against the Government as to the filling up of the blank with "twelve," voted against Lord Ashley's proposition to fill it up with "ten;" and that was the only occasion on which the ten hours' proposition was substantively and directly raised. It was then rejected by the Committee; and on no other occasion was the ten hours' principle brought substantively before the House. I was therefore justified in my assertion that the limitation of ten hours has never yet received the direct sanction of the House of Commons.

MR. S. CRAWFORD said, if ever there was unanimity in a great community on a question, it existed in the borough of Rochdale in favour of a Ten Hours' Bill. He did not know the sentiments of the great millowners; but he had not had any communication on their part asking him to oppose the Bill. He had presented petitions from Rochdale very numerously signed by the operatives in favour of the measure, from a public meeting held there, at which the head constable presided; from the clergy of that place, and also from the operatives of Belfast. There was a case in which protection was required for those who were not able to protect themselves. That protection, to a certain extent, involved an interference with the liberty of the population. But it must be borne in mind that the workers in factories had it not in their own power to choose their hours of labour; they could not lessen them, however great

their inclination to do so; and their employers were able to offer them the alternative of working for a certain number of hours or of starving. But there was another power of compulsion besides that possessed by the masters. If men from avarice made their families work a great many hours, what protection had their wives and children against such tyranny? It had been shown, that the prolonged hours of work interfered with the education, the religious instruction, the morality, and all the social relations of the community. But there was one point which he wished especially to press on the attention of the House. He referred to the effect of excessive labour on the health of the inhabitants in the manufacturing towns. It appeared from the evidence taken by the Health of Towns Commission, that the average duration of human life in the principal towns of Lancashire was, for the whole population, nineteen years shorter than the general average duration of human life throughout England, Ulverstone being taken as a fair average for the country at large. The average duration of life in those towns, for adults, was 10 years shorter than the general average over England. In Preston, the average age of death in 1783 was 31; at the present time it was 19½ years. Infantile mortality had increased 53 per cent. In Liverpool, from 1784 to 1810, the mean age of deaths was from 24 to 26 years; during the last seven years it had been from 17 to 20 years. Another remarkable cause of the shortness of life in the manufacturing districts was the practice to which mothers were addicted of giving opium to their children. In his evidence before the Health of Towns Commission, a Manchester druggist stated that—

"Among the really poorer classes, the practice of administering opiates to children is universal, almost without an exception. The way it is done is this—the mother goes out to her work in the morning, leaving her child in charge of a woman, who cannot be troubled with it, or with another child, of perhaps ten years old. A dose of 'quietness' is therefore given to the child to prevent its being troublesome. The child thus drugged sleeps, perhaps, till dinner time; so, when the mother goes out again, the child receives another dose. Well, the mother and father come home at night quite fatigued, and as they must rise early to begin work for the day, they must sleep undisturbed by the child; so it is again drugged, and in this manner young children are often drugged three times a day. He says he sells in one week in retail alone about five gallons per week of 'quietness,' and half a gallon of Godfrey; the former preparation containing about 100 drops of laudanum in an ounce. A single teaspoonful is the prescribed dose, so that, allowing an ounce weekly to each family, this one druggist supplies 700 families. Various other druggists sell as large and larger quantities."

Rochdale was particularly mentioned as addicted to this practice. In Bury, a druggist stated that almost all the factory classes used these cordials. Similar evidence was given as to Preston and Bolton. Spirituous liquors were used for the same purpose in Liverpool by the Irish. A druggist gave the following evidence as to the effect of such drugs:—

"You may know at once a child accustomed to these drugs. It becomes thin; you feel nothing but bone; its eyes get sunken and fixed; its nose pinched. Such children look exactly like old weazened men and women. They sink off in a decline and die. I have often reprobated the practice to mothers; but their answer is, 'What are we to do; it is so very cross?"

Then it was also a remarkable fact, that in manufacturing districts the race had degenerated physically. Speaking of Lancashire, Mr. Chadwick said—

"The labouring population of this county has always supplied the largest contingencies to the armies. It furnished the strength of the army which fought at Flodden; and Cromwell, speaking of his Lancashire regiment, said finer soldiers were never seen in battle-field. The Guards, until lately, were largely recruited from Lancashire; but," Mr. Chadwick went on to say, "it was a matter of constant complaint to him, by the recruiting officers in the various districts of the county, that the sons are less tall than the fathers, and that the difficulty is constantly increasing of obtaining tall and able-bodied men."

In his examination, Sergeant Farrell stated—

"He had been engaged in the recruiting service ten years. For ten recruits formerly got, he could now only get one, and that one was frequently rejected. He ascribed this to the circumstance that when persons go to work in factories early they do not grow to the proper size, have always some deformity, and are pale, sickly, and thin in flesh. The surgeon refuses them for being too thin, not being round chested, and not standing straight. In Rochdale there is almost no use staying. I have been only able to pick out thirty good-looking men for the last eighteen months, and out of those only one was passed by the surgeon for every four rejected."

These were sufficiently strong proofs that the health of the population was injured to a very great extent by their employment in factories; and it was for the House to interfere so far as might be reasonable for the protection of the inhabitants in the manufacturing districts from the excess of work to which they were subject. Mr. Horner, in his last report, adverted to the usefulness of interference. He said—

"Nearly twelve years' experience of the Factory

Act has solved an important problem, by proving that it is practicable to check, by legislative interference, the excesses and moral evils which an unrestrained pursuit of gain has a tendency to create, more particularly as respects children and adolescent females, without injury to commercial interests."

Mr. Horner, in another instance, observed —

"It is self-evident that there can be no substantial improvement in the moral and social condition of persons who, from thirteen years of age to the end of their physical capability of so working, are occupied in their trade 14½ hours of every day; viz., twelve hours actual work, an hour and three quarters for meals, and three quarters of an hour for going to the place of work and returning home, whether the employment be that of factory or any other; and that they are cut off from a reasonable enjoyment of life."

These statements afforded strong grounds for the adoption of such a measure as that which was now before the House. He had already remarked, that the workers were not at liberty to shorten their own hours of labour; but it was also impossible for individual manufacturers to effect such an alteration as the case demanded. He was perfectly certain that the reduction of work would not be equal to the reduction of time. But there were other considerations which also deserved to be weighed. The markets would be less liable to be overstocked. It was, however, impossible to look for a change in the system without the interference of the Legislature. Manufacturers who voluntarily worked for a shorter time might be forestalled by others; and therefore it was unjust to blame individual employers because they did not attempt to restrict the time of labour. It had been stated that the workers would be injured if the Legislature interfered; but it had been stated in the clearest manner that they were prepared to run the risk of the change. Those who advocated the repeal of the Corn Laws in that House, had always argued that the wages of labour should be regulated by the supply and demand. He contended for the same principle; but it did not follow as a corollary that a shorter time of work would reduce wages. It was for the House to consider whether for mere lucre it would sacrifice the great interests of the community. He was one of those who contended that the people should be protected against the holders of landed property. They should be protected, also, against the holders of monied property. The past limitations on the hours of labour had not had an injurious effect; and it was incumbent on the Legislature to interfere for the protection of the labourer, who might be said to be in a state of absolute slavery to his employers; for he had no alternative but to do what they wanted, or to starve, or to enter the workhouse. It was alleged that the promoters of the present measure did not make its application general; but that was certainly no reason why protection should not be afforded in instances where it was manifestly required.

Mr. DUNCAN was understood to say, that one of the effects of limiting the hours of labour in factories would be the causing of a difference of 16 per cent against the English manufacturer in the foreign market. The question had hitherto been treated and discussed as a commercial one. In that light he viewed it. Could he view it in the same light as those Gentlemen who so warmly supported it, he should not only support a limitation to ten hours, but to even a shorter time; but he could not see it as they did. He was a disinterested party on it. He was neither a manufacturer nor a miller. He had examined the question calmly and deliberately; and he had come to the determination that the hours of labour ought not to be limited. He could not, therefore, give his support to the present attempt to place a limit to them. The hours of labour on the Continent, in many of the manufacturing districts, varied from seventy-two to eighty-four hours in the week, giving an average of about eighty. If the hours of labour in Great Britain were lessened, the manufacturers could not possibly compete with those of theContinent. If Germany could produce linen fabrics at a cheaper rate than Scotland—and the town which he had the honour to represent (Dundee) exported a large quantity of linen annually to the Continent—it could not be expected that the buyer would consider whether the article was the produce of a factory where the people worked fourteen hours a day or only ten hours. He would merely look to the quality of the fabric and its actual value, comparatively with other goods of a similar description in the market. As to the distress which had existed in the manufacturing districts in the years 1841 and 1842, he much feared that no limitation to the hours of labour would have either cured or prevented it; and when he saw at the present time districts in which, even at the present length of time occupied in factory labour, females were unable to earn more than 5*s.* in the week, and men frequently

not more than 8*s.* or 10*s.*, he could not but look forward with feelings of distrust and fear to limitations upon their industry, which would act as diminution of their earnings. ["Divide, divide!"]

SIR GEORGE GREY was anxious to offer a few words upon the subject then before the House, for although he intended to vote on this occasion as he had voted in 1844 for the proposition of the noble Lord (Lord Ashley), he regretted to say that he could not support the present measure with the same confidence as those hon. Gentlemen on the opposite side who had expressed themselves so warmly in favour of the second reading. He felt that great weight and much consideration were due to the arguments and sentiments expressed, both by the right hon. Baronet the Secretary of State for the Home Department, and by his right hon. Friend the Member for Taunton. He thought that there were many hon. Gentlemen who were so carried away by their feelings of benevolence and humanity that they were apt to disregard the probable consequences of measures which would affect materially the commercial interests of the country, as well as those of the operative classes. On the other hand, he thought there had been an inclination rather to overrate those considerations, and to carry to too great an extent anticipations of danger involved in the proposed change. On the part of those who opposed the second reading, the arguments urged against the present Bill were very similar to those which had been formerly adduced against the factory law which was at present in operation. Fear of ruin to trade, and prognostics of the evil consequences which were inevitably to have followed, had then, as now, been urged. Judging by the reports of the inspectors of factories, as published from time to time, he could say with feelings of pleasure and satisfaction, that they had convincing proofs and unanswerable evidence that those predictions of evil had not been realized; and he thought that the refutation which time and experience had given to the predictions uttered upon the former occasion, justified him in treating with much less attention those prophecies which were uttered upon the present. Those arguments were in fact arguments against all interference of any kind whatsoever with the labour market. He could understand the argument that the market for labour should be free; but that was really not the question under discussion. The question before them was whether, after the House had upon former occasions adopted a certain course of legislation as to factory labour, they had reached the limits to which it was safe to advance. It was, in fact, a question of degree. The House having by its previous legislation admitted the necessity for interference to a certain degree, had now only to consider whether they had advanced to the utmost limits to which they could venture to go, or whether they might not still, without danger to their commercial interests, advance another step in ameliorating the condition of the factory labourer. Now that being the question, he did not think they could say they had attained the object in view; and there was no evidence to show that they had advanced to the precise point beyond which they could not with safety venture. The condition of their factory population was not as yet satisfactory. In the last report from the factory inspectors, Mr. Horner, under the date of May, 1845, at page 19, said—

> "It is self-evident that there can be no substantial improvement amongst a population where, from thirteen years of age to the end of life, there is no relaxation from work, but where they are constantly occupied during fourteen hours and a half a day, twelve hours being employed in actual work, one hour and three-quarters at meals, and three-quarters of an hour being occupied in going to and returning from home. They are, in fact, cut off from all reasonable enjoyment of life."

It was evident that something yet remained to be done. He was not prepared to concur by a vote for the rejection of the Bill in the assertion that they should not advance one step further in the course on which they had entered. Nor was he altogether prepared to go the full extent proposed by all the clauses of the Bill, without further experience to guide their course. Many allusions had been made in the course of the debate to the experiments tried, by mutual agreement, between master and workmen, as to the quantity of work which could be performed during the shorter hours of labour as compared with the longer. In Mr. Gardiner's case those experiments had been made with some degree of success. In others they had not proved so satisfactory. But all those experiments had been brought forward by the opponents of the Bill as proofs of the impropriety of interfering with the hours of labour by legislative enactments, when satisfactory arrangements could be entered into by mutual consent. He should

say that if the object could be obtained by mutual arrangement, it would be the best method by far; but inasmuch as he saw no chance of such arrangement being generally made, or the experiment even tried to any great extent, he had come to the resolution of supporting the second reading of the Bill. They had taken on themselves a fearful responsibility. They had fixed the maximum of factory labour; they had undertaken to say what time the operative classes should be employed in factory labour, and he could not assert that they had satisfactorily discharged the duty they had thus assumed. He assented to the principle of the Bill; but in doing so he wished to guard himself against acquiescing in its details. If it should go into Committee, he should, feeling the necessity of caution, be prepared to vote against the third clause, but to support the clause, fixing the hours of labour at eleven. There was, indeed, another alteration which he thought might confer a greater benefit, and perhaps be the best mode of dealing with the question. He thought there might be an advantage in extending the class of children to a more advanced age, so as to enable them to attend schools for a longer period. The right hon. Gentleman anticipated great difficulty in carrying out that proposition; but the same difficulty was anticipated with regard to children under 13, and further experience had disproved that objection. He thought the age for this class might be extended to 15 or 16. He threw out this as a suggestion that had occurred to him; at the same time, should no such proposition be made in Committee, he was prepared to support the first clause of the Bill as it stood. In supporting this measure he disclaimed altogether being a party to what might prove a delusion; he could not say the Bill would not tend to produce a diminution of wages; he thought the natural tendency of the measure would be to effect a reduction of wages. But the operatives themselves stated they should derive advantage from the measure; and, important as were the commercial considerations connected with the subject, it was still more important to look at the advantage to be derived from conciliating the goodwill and cordial co-operation of the operative body, who sought this boon with a sincerity that could not be doubted, though they might be deceived as to the results. He should vote for the second reading.

Mr. BROTHERTON said, that every Member who had spoken against the Motion had admitted, that twelve hours' labour in a factory in a heated and impure atmosphere, was too long for young persons between 13 and 18 years of age, and that it was desirable the time should be shortened. But it was contended that such reduction should be made by amicable arrangement between the masters and the operatives; at the same time it was alleged that if such reduction was made, whether voluntarily or by legislative enactment, it would bring ruin upon our manufactures. The only question, therefore, seemed to be whether the reduction should be by mutual arrangement, or by legislative enactment. [*Continued cries of* "Divide, divide!"] He had taken a deep interest in the question for thirty years. He had not often obtruded his sentiments upon the House; but if he was interrupted he would move the adjournment of the debate. It was contended by the opponents of this measure, that the working people should be left to make their own bargains—that it would be acting against principle to interfere with labour, and must tend to the injury of the operatives. But how could the supporters of non-interference carry the principle out? If they kept strictly to that principle, when expediency required it, they must infringe upon the Sabbath; and was not that institution an interference with labour? They had sufficient authority for interfering with the hours and freedom of labour. The Legislature interfered with labour in collieries—they regulated the boats on the Thames—they legislated for railroads—and they had already legislated for the regulation of factories; and all these interferences had had a beneficial effect. It was asserted, that if the Legislature interfered again with factory labour, they would be bound to interfere with the labour of all other trades. He denied that such would be the case. He said they might as well allege, that if one tax was removed, that all other taxes should be taken off. Factory labour was not like other labour. It was not like the labour of the shoemaker, the tailor, or the gardener, who might work sixteen hours one day, and six on another. The persons employed in factories must work the same number of hours every day, from week to week, from month to month, from year to year. The old and the young, the weak and the strong, must all work the same time so long as the machinery was in motion. The reason for this constant labour

was the great amount of capital employed in machinery. A gardener worked with a spade worth 2*s.*, whereas an operative in a factory worked with a machine worth 100*l.*; therefore the temptation to work a longer time was far greater, because a profit must be gained on the machine. It was contended by some hon. Members, that there was no necessity for legislative interference even in factories. But what was the state of factory labourers before the Legislature interfered? He could remember when factories generally worked on an average seventy-eight hours in the week. It had been proved in the other House, that the factories in Lancashire, forty years ago, used to work fourteen hours and a half a day; and there were returns which showed that some mills were worked ninety hours per week. At that time children of six years of age were employed in them during that time, and a considerable proportion of them were under nine years of age; but all this had been altered. This proved that legislative interference, in regard to factories, had been necessary and beneficial. The condition of the work-people had been materially improved. But although much good had been done by the Legislature, they had the testimony of medical men, of magistrates, of ministers of religion of various denominations, that the hours of labour in factories were still too long, being injurious to the health, and an impediment to the improvement of the minds and morals of the operatives. An hon. Member had, indeed, alluded to the evidence of medical men, as if they had an interest and a bias in favour of altering and limiting the hours of labour in factories unnecessarily. But he could state that medical men were examined before a Committee of the House of Lords in 1818, and some of them manifested no such disposition. He recollected the evidence of an eminent physician from Manchester. He had been asked several questions relative to the effects upon young persons from working twelve or thirteen hours a day in factories. He could give no opinion upon the matter, unless a case was presented to him. He was pressed upon the subject, and was asked, whether he thought it would be injurious to the health of a child to be kept standing twenty-three out of the twenty-four hours? His answer was, "Before I answer that question, I should wish to have an examination to see how the case stands." He said, he could form no opinion independent of facts as to the number of hours that a child ought to be employed. So much for the wish of medical men to limit the hours of labour unnecessarily. The labour in factories was of a peculiar kind; and because Parliament might think fit to limit its duration, it did not at all follow that it need interfere with other branches of industry. The restriction sought by this measure would be highly beneficial to the operatives, while in his opinion it would not be injurious to the masters. It was idle to talk of public parks for recreation, and of mechanics' institutions for instruction, if the operatives were not allowed time to enjoy the one and profit by the other. To those who contended that the end in view ought to be brought about by mutual arrangement, he replied that it was impossible; and that competition and jealousy would defeat the attempt. The proposition could only be intended to defeat the Bill. With respect to the commercial part of the subject, he was ready to admit that if labour were restricted, the cost of the manufacture would be increased, which must be met, either by an increase of price, a reduction of wages, or less profit to the capitalist. According to a calculation which he had made, the loss in wages by a reduction of the hours from sixty-nine to sixty-four per week, would not exceed 10*d.* per week to each operative, the average wages being 10*s.* 3*d.* per week; and as the masters had been gainers by the repeal of the cotton duty to the extent of 1*s.* 1*d.* per week, the loss if borne by them would not be very heavy. The number of persons employed in cotton mills was about 260,000; and the amount of cotton duty in 1843 was 743,902*l.*, being equal to 1*s.* 1*d.* per week for each person employed. As the operatives chiefly worked by the piece, and as the rate of wages depended on the demand and supply, the operative must run the risk of a reduction of wages, if a less quantity of work were produced in eleven hours than in twelve. The reduction of time hitherto had not tended to decrease our trade; for in 1818, the year previous to the time being reduced to seventy-two hours, the quantity of cotton yarn exported was 14,743,675 lbs. In 1825, when the time was again reduced to sixty-nine hours, the quantity exported was 32,641,604 lbs.; in 1833, 70,626,161 lbs.; and in 1845, 135,144,865 lbs. It was now proposed to make a further reduction of time, and he had no objection to proceeding cautiously and safely; but his conviction was, that if the time were reduced

to eleven hours a day, or sixty-four per week, in the case of a mill where 20,000*l.* was invested, 220 hands employed and 6,000 lbs. of yarn produced weekly, the increased cost for interest of fixed capital, insurance, wear and tear, taxes, &c. would only be one seventh of a penny per lb., and the amount of the repealed duty on the raw cotton consumed, would be three eighths of a penny per lb. Even if the same amount of wages was paid for a proportionately less quantity of work, and the same amount of profit added, the increased cost would not exceed a halfpenny per lb. And in that case he believed there would be nothing to apprehend from foreign competition; for the import duties on cotton twist in foreign countries, showed that there was a considerable protective duty which might be reduced. The import duty on cotton yarn into Belgium was 4*d.* per lb.; Denmark, 4½*d.*; Austria, 5½*d.*; Russia, 8*d.*; the United States, 8*d.*; and France, 3*s.* per lb. So that a reduction of these duties might be made to ten times the amount of the increased cost, occasioned by a restriction of the hours of labour in this country. For these reasons, he was convinced that the reduction of the hours of labour from twelve to eleven *per diem*, would be attended with no ill consequences to the operatives, to the manufacturers, or to the nation; while on the other hand, it would materially augment the comfort of the working classes, promote good-will between masters and men, and prevent those strikes which always caused heart-burnings and dissatisfaction. He therefore gave his hearty support to the second reading of the Bill.

Mr. CARDWELL was fully sensible of the disadvantages under which, in the anxiety which the House manifested to come to a conclusion, and after the speeches which had been heard, he ventured to trespass for a short time upon their patience. Representing, however, as he did a constituency which made him necessarily acquainted with the feelings entertained among all classes, both by masters and operatives, on this subject—having been, from local connexion, familiar to a certain extent, with its importance, and having given to it every attention, he did trust that he might be allowed to make a few remarks. He viewed the matter, he could assure the House, without any admixture whatever of personal bias, and with a sincere desire to accomplish one single end, that end being to discover, if possible—not by giving way to feelings, but by a careful examination of facts and practical evidence—what was the course by which the Legislature of this country was best able to promote and was least likely to interfere with the growing prosperity of this great class of Her Majesty's subjects. He was sure the House would feel, that after the powerful speech of the right hon. Gentleman opposite, it was right that some one acquainted with the feelings of that class should make a statement as to what those feelings were, and what was the light in which they considered the question. He would address himself to what he believed to be the real bearings of, and practical evidence in the case. He thought he might venture to correct the right hon. Gentleman (Sir George Grey) with regard to one matter, which he seemed to treat as a matter of fact. The right hon. Gentleman appeared to think that in the course which legislation had hitherto taken upon the subject they could not trace any defined or established principle. It had been said, that the argument against all change could be understood; but that when they admitted the principle of interference with labour, then it was difficult to understand the precise question of degree—what were to be the limits of such interference, and where, to avoid novelty and danger, they were to stop. Now he did not pretend to stand up in that House for the abstract principle of non-interference with labour; but he maintained that, in point of fact, a great principle had guided, and was to be found in the history of, their past legislation. He would make this broad and intelligible assertion, that they had been guided in their former legislation by reference to two things—the prevailing practice of the time in regard to the hours of labour, and the concurrence of the respectable part of the trade in the limitations which they had imposed. It was well known that the general practice now was to make the hours of labour twelve hours. There were, however, always engaged in any trade persons less scrupulous and less considerate—persons, for instance, in this trade who worked fourteen, while the usual length of time was only twelve hours; and it had been thought by the Legislature both just and expedient to impose upon these persons, who were commonly known in the manufacturing districts by the designation of "outsiders," a statutory limitation requiring them to conform to the general practice of the trade. They had

been guided in former years by that clear and definite principle; and if they desired to impose upon the less scrupulous a limitation, they must be directed by the general practice, and by the experience of the principal and more respectable establishments, which worked consistently with practical advantage. Such was the principle which governed the views of the late Sir R. Peel; that was the principle which, from the beginning to the end of their legislation, they had hitherto followed; it was that which they were now invited to infringe, and which, if they did infringe, they would, he believed, break down and destroy the solid foundations of the prosperity which this important trade enjoyed. That principle was none the worse for not being defined by any abstract expression, and for being the result of and having stood the test of practical experience. And what were these results? When the hours of labour on the continent of Europe had been, in some places, from seventy-eight hours per week, in others from seventy-two to ninety hours, and in others from seventy-eight to eighty-five, they had in England adopted a limitation to sixty-nine hours per week. They had enforced that limitation, and the more easily, because none met it with evasions, and none interposed difficulties; they had had the co-operation of those without whose co-operation their Act of Parliament was not worth the paper on which it was written; and by that limitation, and by adhering to that principle, the labouring classes in this country had derived the greatest possible practical benefit. It was admitted on all hands that if you departed from your principle you incurred great risk of entailing upon the operatives very serious consequences in respect of the remuneration of their labour, by the necessary reduction that must follow in the rate of wages. But it had been answered that this was a question with which they need not concern themselves, because the parties themselves had considered it; but to leave the question thus was, in his opinion, to abrogate the function of the Legislature, to repudiate the duty to discharge which that august assembly was constituted. He would not, for one humble individual, court popularity for a single moment by blinding his eyes to the risk which he most sincerely believed to be involved in this question, merely because others could not see that risk; and he would not, moreover, pay the operative classes so poor a compliment as to think that in the long run, or even in the short run, their support and confidence would be obtained by such an abnegation of principle as that which he had pointed out. Was the House aware that upwards of 800,000 people were directly dependent upon the wages received for labour in manufactures? Did they know that one half of the total exports of the country was the produce of one single branch of these manufactures? Were they aware of the amount expended in wages in this country? Were they aware of the prosperity and comfort among the operatives which the circulation of so large a sum in wages annually produced; of the domestic comfort, of the unobtrusive respectability, of the substantial advantages, moral as well as physical, to parents and to children? Such were the results; hon. Gentleman might talk glibly about the risk that they run by an alteration; hon. Gentlemen, in smoothly running sentences, might dispose of the danger; but the health and homestead of the industrious hardworking manufacturing labourers were their stake, and it was their well-being the House was called on to consider. In 1808 the course of this legislation began, and they had then been enabled to confer benefits upon the manufacturing labourers with the concurrence of the trade, and to enforce the principle without the intervention of any practical difficulty. Had they any reason to be discouraged? What had been the reward of their adhesion to a principle justified and sustained by prudence? Omitting former legislation, let him briefly recapitulate what had actually been accomplished in this present Parliament, by the very assembly whom he had now the honour to address. They first interfered on the part of labourers in mines; they extended their interference to the silk trade, by limiting the hours of labour for young children; they then interfered in a branch of trade scarcely second in importance to any other—the calico print trade; and, being connected with a district in which that was the principal trade, he could say, from his own knowledge, that because they had consulted those without whom they could not proceed, because they had wisely considered a valuable principle, they had placed the Act relative to that manufacture upon the Statute-book without opposition, and had taken the best possible means of enforcing its provisions. They knew from the reports of the inspectors of factories, and from the abstract of population returns,

that the results of their legislation hitherto had been, as he had stated, beneficial, had given satisfaction to the operatives as well as to the masters, and that the effect also had been to increase adult labour, and, proportionately, to diminish the labour of young children. It had been stated in the course of the discussion by a high authority, that the great difficulty with which they had had to contend had been to extend into the houses and homes of the working classes those great benefits of education—of moral and religious improvement, which it was most desirous the Legislature should both originate and sustain. It was very well for a person to say that they could not do it; he (Mr. Cardwell) appealed to practical evidence to show that they had already done it. He would refer them to the Report of Mr. Horner, and he would invite them to go over the account which Mr. Horner gave, to examine the picture which he drew of the progress of education in his district, and of the state of the labourers in the North Shore Mills Cotton Company, Liverpool. It would be observed, from the statements of this gentleman, that this was in reality a strong case, for that the proportion of women and children employed, was a large proportion as compared with the number of male and adult labourers. He would not read the whole description to the House. He would give hon. Gentlemen who testified so warm an interest in this subject, credit for having read the short and graphic Report which the factory inspectors had presented. Mr. Horner, after describing the sanatory condition, the religious education, the attendance at church on the Sabbath, concluded with this remarkable passage:—

"It is difficult to say whether we should most admire the benevolence, the confiding practical good sense, or the enlarged views of their own happiness and interest, evinced by the proprietors of this factory in their arrangements. If their example were generally followed, even in a limited degree, one could hardly over-estimate the sum of moral good and individual happiness that would result."

What was the inference they were to draw from this? He would ask the House to side with those persons as fellow labourers in that great moral work. It was in the hands of such persons that the essential power was to be invested; and let the House respect those who had set and followed such an example. Let them not legislate in a spirit opposed to the judgment and adverse to the feelings of those persons, thus rendering them hostile to, and inclined to frustrate, the good which was intended to be effected. But, he had other returns which he might refer to—medical returns; and he then held in his hand a letter of which he might be permitted to read a short extract, for he considered that it established one of the most remarkable and most gratifying facts within modern experience. It was generally known that within the last six months there had been a most extraordinary demand for copies of the Scriptures generally in the manufacturing districts. The statistics were as remarkable as the conclusion to be drawn from them was gratifying. Let him take a single case. The number of Bibles and Testaments sold by young men in one factory, within that period, was 3,829, and the number sold by women was 7,671, making a total of 11,500 copies disposed of within six months. The largest number sold by one individual was 1,388. So that within six months one individual had been the means of distributing 1,388 copies of the Scriptures; and this individual was a young woman who had been employed for twelve hours a day in a cotton factory. This circumstance had come to his knowledge in the course of his inquiry into another subject. He was sure that the noble Lord the Member for the city of London would excuse him for referring to an observation which had fallen from him in connexion with the subject. He held in his hand an account of the proceedings at a meeting of the British and Foreign School Society, at which the noble Lord presided, and the noble Lord was reported to have said—

"In stating last year the want of education in the House of Commons, he had pointed out the reason why a great portion of the labouring population were unable to give that amount of education to their children which they themselves could wish. He then stated that the wages of many portions of the humbler classes were so small that, if they expended any of it in education, they could not obtain the comforts and clothing which were requisite for their decent appearance as men, and that in the lowest state of wages nearly the whole amount earned went to buy the necessary bread for the maintenance of themselves, their wives, and their children. He trusted that they would see, in the progress of events and the wisdom of the Legislature, that the labouring classes of this country would be enabled to have such a greater command of the necessaries of life, that they might be able to devote a larger portion of their earnings to the education of their children."

Now whilst, with one hand, they diminished the price of the necessaries of life, let them not, on the other hand, curtail the amount of wages, and thereby prevent the labour-

ing classes from fulfilling the expectation held out by the noble Lord, that they might devote a larger portion of their earnings to the education of their children. The question, therefore, with respect to education, turned upon that of wages; and did any one deny that if this measure passed, the Legislature, by direct interference, diminished and curtailed the wages of the manufacturing population? And let them observe, they were not curtailing the labour of children; they did not touch that; but the particular effect of this Bill was to diminish the labour of the adult; not that a man should not work his child too hard, but that he should not work himself too much. It was not necessary to go into calculations to show the effect of the measure: they were going to strike off one-sixth part of the whole productive power of the country. The measure affected not only the floating capital of wages, but sunk capital; they were going to impose a tax of one-sixth upon the aggregate capital employed in manufactures. The noble Lord the Member for Newark relied on the experiment made by Mr. Gardiner of working eleven hours. That experiment had been made by various persons—by Mr. Gardiner, Messrs. Horrocks, Mr. Greg, Mr. Marshall, and others, to ascertain whether they could pay twelve hours' wages for eleven hours' work. The noble Lord said, Mr. Marshall was favourable to eleven hours: and the noble Lord said justly, that Mr. Marshall was a most high authority; while he (Mr. Cardwell) held in his hand the petition of Mr. Marshall against the statutory limitation which the noble Lord now sought to impose. Mr. Greg had tried the experiment, and no doubt he had done it *bonâ fide*, and what had been the result? He found he could not maintain it; and he made this offer to his people, "If I am content with eleven hours' work, will you be content with the wages of eleven hours and a half?" and they unanimously refused. Had he not a right, therefore, to deny that the working classes were content with the experiment? and where the great manufacturers in the north of England had tried the experiment, the result was against it. If he wanted an argument why the House should abstain from passing this measure, he should find it in the readiness of the manufacturers themselves to try the experiment and to adopt it, if it could be done with safety and advantage. Then what was the result of the whole matter? The House was invited, for the first time, to violate principles which, in a long course of legislation upon this subject, had been hitherto preserved inviolate, notwithstanding the strong arguments against such a course to be found in the experiments which had been made by persons favourable to the measure, the results of which confirmed the reasoning *à priori;* in the teeth of these experiments the House was invited to precipitate a measure which they were warned would be injurious to those whose advantage it was their special intention to promote. The right hon. Gentleman the Member for Taunton had referred to some of those evils: first, a contention between masters and men; and afterwards, from the blow inflicted upon trade by the direct operation of the measure in curtailing the domestic trade of England and exposing it to a disadvantageous competition, and by the indirect effect, viz., the unsettled relations it was sure to produce between the employers and the employed, a period of great suffering resulting ultimately in a combined movement of masters and of men against the interference of the Legislature. Let them if they valued those results which by temperate and judicious legislation they had been enabled to secure, steadily persevere in observance of the same landmarks, in adherence to the same principles. They would thus secure the course in which they had made great progress, and by the continued pursuit of which he believed they were destined to attain still greater triumphs.

MR. BANKES rose and attempted to address the House, amidst cries of "Divide!"

MR. WARD moved that the debate be adjourned.

MR. BANKES again rose. He said he was in possession of the House, and he should occupy the short time that remained (it being now three quarters past five o'clock) by speaking upon the Motion now made, that the debate be now adjourned, for the purpose of afterwards following it up by moving that it be resumed on Monday next. He was extremely sorry that an adjournment should now take place, and he regretted sincerely that it should have been occasioned by the conduct which had been pursued by the hon. Members on the Treasury bench. There had been sufficient opportunity to-night for any Member on the Treasury bench to have answered the arguments on the other side; but none had

risen early in the debate. Two hours ago, when his noble Friend the Member for Newark had spoken, there had been an opportunity, but no Member of the Government rose; and it was not until the clock pointed at a quarter past five, that any Member from the Treasury thought fit to address the House, and he did not close till an hour when it was impossible to continue the debate, though time was left for a division, and he (Mr. Bankes) offered that the House should divide then. If a division was not accepted, he moved that the debate be now adjourned, intending to follow it up with another Motion, that it be resumed on Monday next; and he fixed that day because the debate on the Corn Law would be concluded before that time, and there would be no danger of mixing up one question with the other.

MR. WARD had no objection to leave the Motion of adjournment in the hands of the hon. Member.

The Question on the adjournment of the debate was agreed to.

Upon the Question that the debate be resumed on Monday next,

SIR R. PEEL said, besides the Corn Bill, it was of the utmost importance to proceed with the Tariff, and with other most important Government measures; but if the House considered this a discussion of such importance, he would fix upon as early a day as he could, but it was impossible to fix upon Monday next.

MR. BANKES said, he should take every opportunity which the forms of the House allowed to enable it to resume the debate upon this question on Monday next.

MR. SPEAKER: Does the hon. Member withdraw his Motion?

MR. BANKES: No.

MR. SPEAKER put the Question that the debate be adjourned till Monday next, and declared that "the Ayes had it."

[Several Members said, "The Noes have it;" but the clock now stood at Six, and the Clerk read the Standing Order that the House should meet at Twelve, and adjourn at Six; whereupon the Speaker immediately left the Chair, and the House, which was very numerous, broke up.]

We copy from the Votes of the House the official record of this proceeding, which is unexampled, it having arisen only in consequence of the Orders of Jan. 26:—

"Motion made, and Question put, 'That the Debate be adjourned till Monday next:'—and Mr. Speaker having declared that the Ayes had it, several Members challenged the decision of Mr. Speaker, and declared that the Noes had it; and the House being about to divide, but it being then six of the clock, Mr. Speaker directed the Clerk to read the Resolutions of the House of the 26th day of January last, and the same were read accordingly, as follow:—

"*Resolved*—That the House do meet every Wednesday at Twelve o'clock at noon, for Private Business, Petitions, and Orders of the Day, and do continue to sit until Six o'clock, unless previously adjourned."

"*Resolved*—That when such Business has been disposed of, or at Six o'clock precisely, notwithstanding there may be business under discussion, Mr. Speaker do adjourn the House, without putting any Question."

"*Resolved*—That whenever the House shall be in Committee at Six o'clock, the Chairman do immediately report progress, and Mr. Speaker do resume the Chair, and adjourn the House, without putting any Question."

"*Resolved*—That the business under discussion, and any business not disposed of at the time of such adjournment, do stand as Orders of the Day for the next day on which the House shall sit."

"Whereupon Mr. Speaker adjourned the House till To-morrow, without putting any Question."

House adjourned at Six o'clock.

HOUSE OF LORDS,

Thursday, May 14, 1846.

MINUTES.] *Sat first.* The Lord Mendip, after the Death of his Father.

PUBLIC BILLS.—1ª. Election Notices (Ireland).

2ª. Polling Places (Ireland).

Received the Royal Assent. Exchequer Bills; Indemnity; Insolvent Debtors (India); Commons Inclosure; Burghs (Scotland).

PETITIONS PRESENTED. By the Bishop of Hereford, from Bruton, Hereford, and Blandford Forum, for the Better Observance of, and for the Prevention of the Sale of Intoxicating Liquors on, the Sabbath.—By the Earl of Powis, from Clergy of Buckingham, and a great number of other places, against the Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—From Attorneys and Solicitors of Beverley, against the Real Property Deeds Registration Bill.—By Lord Campbell, from Members of the Society for the Improvement of Ireland irrespective of Sect or Party, for an Inquiry into the Fiscal Relations of England and Ireland.—By Lord Cottenham, and other noble Lords, from a great number of places, against the Charitable Trusts Bill.—From Edinburgh, and several other places, praying that a Bill may be passed for compensating Proprietors of Lands for the Purchase of Sites for Free Churches (Scotland).—From Higham, Westerfield, and Stevenage, for the Protection of Agriculture.—From Thomas William Dawson, on behalf of the Church and Congregation of Protestant Dissenters of Bethlehem Chapel, Richmond, in favour of the Charitable Trusts Bill.—From Guardians of the Ledbury Union, for the Adoption of a Measure making the Landlords of Small Tenements where the Rents are under £6 liable to the Poor Rates.—From the Lismore Board of Guardians, for the Adoption of a Measure for the Better Suppression of Vagrancy, and for further Regulations in regard to the Vaccination of the Poor.—From Physicians and Surgeons of the King's County, Queen's County, and Tipperary, complaining of inadequate Remuneration for their Services, and for Relief.—From Cork, for the Better Regulation and more Efficient Support of Medical Charities (Ireland).—By the Marquess of Normanby, from the Hull Chamber of Commerce, in favour of the Principles of Free Trade.—By Earl Fortescue, from Mayor, Aldermen, and Burgesses of the Borough of Waterford, for Alteration of the Irish

Municipal Franchise, and to assimilate the same to the Law of England.—By Earl Fortescue, from the Archbishop and Secular Clergy of the Roman Catholic Church in Dublin, for Repeal of Disabilities affecting the Regulars or Clergy bound by Monastic Vows.

THE CORN LAWS.

Lord STANLEY said, that he wished to ask his noble Friend at the head of the Board of Trade whether he would have any objection to continue certain returns which had already been presented to the House on this subject. The first was a return of the amount of grain imported from Ireland into Great Britain in the month of February last. Now, he (Lord Stanley) wished to test the accuracy of the statements which were made with respect to the famine which was said to prevail at the present moment in Ireland; and, therefore, he was desirous of having the return continued, so as to show the amount of oats and oatmeal imported from Ireland into England in the months of March and April last. His noble Friend had also laid on the Table various returns relative to the number of corn-laden ships which had cleared out from the different ports of Europe and America during the year 1845. Those returns gave this result—that of the corn-laden ships cleared out, 1,034 were British, upwards of 800 foreign; and 180 which were included in the first were cleared out from ports in our Colonies. The return which he now wished to have was one to show the number of ships cleared out, laden with corn, from all the ports of the different countries of Europe and America during the last year; specifying, with regard to each of those countries, the proportion of British ships, the proportion of the ships belonging to the country from which the shipment was made, and the proportion of ships belonging to foreign countries. To these returns he did not apprehend there could be the slightest objection. There was another matter which he wished to mention. Two returns, numbered 61 and 100 respectively, had been laid on the Table, giving the yearly average prices of wheat in 1845; one of these returns gave it at 50*s.* 10*d.*, and the other at 55*s.* 10*d.* Now, it was very important that they should not have conflicting statements on a point so material as the average price of wheat during the year 1845; and, therefore, he hoped that his noble Friend would be able to give some explanation on the subject.

The Earl of DALHOUSIE said, that he had no objection to furnish the returns moved for by his noble Friend. With regard to the discrepancy mentioned by his noble Friend, he would merely say, that he had made inquiry, and that he found that the return numbered 61, which proceeded from the corn department of the Board of Trade, and which stated the average price at 50*s.* 10*d.*, was the correct return. The other return proceeded from the Customs' department; but how the error originated he had not yet had the opportunity of ascertaining. He could not say whether it was the error of that department, or of the printer.

Returns ordered.

House adjourned.

HOUSE OF COMMONS,

Thursday, May 14, 1846.

Minutes.] Public Bills. — 1°· Ropemakers; Service of Heirs (Scotland); Crown Charters (Scotland).
2°· Explosive Substances.

Petitions Presented. By several hon. Members, from various places, for Better Observance of the Lord's Day. —By several hon. Members, from various places, in favour of the Roman Catholic Relief Bill.—By Mr. Pole Carew, from Clergy of the Deanery of Penwith, against the Union of Saint Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester. — By Colonel Arbuthnott, from Owners and Occupiers of Land and other Inhabitants of the County of Kincardine, against the proposed Measure respecting Customs and Corn Importation.—By Mr. Bailey, Mr. Dowdeswell, and Sir Charles Knightley, from Guardians of the Poor of the Dore, Tewkesbury, and Towcester Unions, for Rating Owners in lieu of Occupiers of Tenements.—By several hon. Members, from various places, for Repeal or Alteration of the Lunatic Asylums and Pauper Lunatics Act.—By Lord James Stuart, from Maybole, complaining of Refusal to grant Sites for Churches to the Free Church (Scotland).—By Mr. O'Connell, from a great number of places, for the Immediate Release of William Smith O'Brien, Esq.—By Sir John Rae Reid, from Mayor, Aldermen, and Burgesses of the Borough of Dover, respecting the Employment and Reformation of Discharged Prisoners.—By Sir John Easthope, from Retail Beersellers of the Town of Leicester, for Alteration of Law respecting Exciseable Liquors.—By Mr. Dowdeswell, from Officers connected with the Administration of the Poor Laws in the Tewkesbury Union, for a Superannuation Fund for Poor Law Officers.—By Mr. Joseph Bailey, from Members of a Society entitled "The Worcester Anglers' Society," in favour of the Salmon Fisheries Bill.—From Inhabitants of Highgate and Birmingham, praying for Inquiry into the case of Joshua Toulmin Smith, and respecting the granting of Search Warrants.

PROCEEDINGS ON RAILWAY BILLS.

Sir J. EASTHOPE wished to put a question to the right hon. Baronet at the head of the Government, with reference to the certificates that would be required from the promoters of railway projects, before their Bills would be entitled to a third reading in that House. The House would be aware that before the third reading of a Bill for the construction of a railway, the promoters were required to show that they had obtained the assent of a certain proportion of their subscribers assembled at a

public meeting for proceeding with the Bill. Now, the question which he wished to put was, in case the promoters of a company had submitted a Bill, which had not passed through Committee, to their scripholders, and after obtaining the requisite number of assents, the character of the Bill was essentially changed in Committee, whether the Bill would require the certificate of the assent of another meeting before it could be read a third time in that House.

Sir R. PEEL said that the House was aware that a Railway Bill could not be read a third time unless three days previously there was lodged in the Private Bill Office a certificate, stating that at a public meeting of the scripholders a certain number of them, holding a certain amount of shares, had given their consent to the progress of the measure. The question which the hon. Baronet put, if he understood him correctly, was, whether, supposing that meeting to have taken place before the Bill had gone through Committee, and supposing important alterations to have been afterwards made in Committee, a fresh meeting and a fresh Committee would be necessary. He (Sir R. Peel) did not consider that a fresh meeting of scripholders would be required. The change of the character of a Bill in Committee was an alteration to which a company must be subject. If the alterations made in Committee were important, there was nothing to prevent the shareholders in the company from presenting a petition, stating that in consequence of the alterations which had been made they did not wish to proceed. He did not think, however, that there was any obligation upon the company to hold another meeting, and he did not think it desirable that it should be held.

MR. J. TOULMIN SMITH AND THE EXCISE.

Mr. WAKLEY urged the hon. Member for Birmingham (Mr. Spooner) to postpone his Motion respecting Mr. Toulmin Smith, in order that the debate on the Corn Importation Bill might be resumed.

Mr. SPOONER said, he was quite aware of the importance of the Corn Bill, but the House would recollect that this case had been three or four times on the Paper, without his being able to bring it on; and now that he had priority, he was resolved to proceed. Mr. Toulmin Smith, a man of high character, and placed in a respectable station in life, had been most foully aspersed, and he would take this opportunity of relieving him from the aspersions which had been cast upon him. If he postponed his Motion now, he should not have a chance of bringing it on again for several weeks. In bringing forward this Motion, which was for a Select Committee to consider the petitions of Mr. Toulmin Smith, and the papers presented to the House relative to the case stated in those petitions, he should have two objects in view: first, to put the character of Mr. Toulmin Smith right with the House; and next, to call the attention of the House to the circumstances under which the outrage had been perpetrated, so as to prevent similar occurrences taking place again. Mr. Toulmin Smith was a special pleader in the Temple, and a member of one of the most respectable families in the town of Birmingham. The petition complained that two policemen and an exciseman entered his house to search for an illicit still. The only ground on which the warrant was granted was a mere suggestion in an anonymous letter, to the effect that a Mr. Smith, residing in a populous place, was suspected to have in his house an illicit still. He was prepared to prove that most unjust aspersions had been cast on the character of Mr. Smith. Mr. Smith's house had been violently entered by the Excise officers without any cause or excuse. When this subject had been brought before the Upper House, Lord Denman had said, on the statements of Mr. Toulmin Smith, that it was a very proper case to be laid before the Government. He now, on the part of the public, called upon the House to look closely into the particulars of this case, and not allow it to be passed over by mere recrimination on Mr. Toulmin Smith. Mr. Smith had been charged with an attempt at extortion. He was prepared, however, to prove that the Excise officer, who had so grossly exceeded his duty in searching the house of Mr. Smith, had offered to pay any amount of composition; but that gentleman most indignantly refused to accept composition, as he only wished for that which would bear him harmless in the eyes of the world. He was in possession of letters which would prove that, if Mr. Smith did bring an action, and recover damages, it was his intention to give them to some charity or other. Mr. Smith was a man of a scientific turn of mind and high attainments, and he had been brought before the public in a way which had harassed his feelings and injured him in his profession. When

that gentleman complained of the outrage that had been committed, instead of getting any remedy, his private character was aspersed, and he now came forward to vindicate that gentleman's character, which ought never to have been attacked. He begged to direct the attention of his right hon. Friend the Chancellor of the Exchequer to the state of the Excise laws, which permitted such doings, and he thought some alteratiens should be speedily made in those laws. The Excise laws were now so abused that the Chancellor of the Exchequer would lose much in his revenue from that source. The Commissioners of Excise knew very well that their officer had exceeded his orders in this case; yet they had never thought of making any reparation. Mr. Toulmin Smith certainly had his legal remedy, but he ought not to be compelled to seek that remedy. The warrant was obtained upon the suggestion of a mere anonymous letter; and by such means had that gentleman's domestic peace been disturbed, and his family greatly alarmed. Mr. Smith applied, in the first instance to the Excise Office, and subsequently to the Secretary of State for the Home Department, without obtaining satisfaction. The right hon. Gentleman told him, through his Secretary, that he could not interfere; that he had no authority to do so. If that were really the case, why then it formed a reason in itself for acceding to the Motion. He thought that, upon full consideration, the Government would not oppose the appointment of a Committee. If a Committee was not appointed, he thought the country would have great and just ground of complaint. The hon. Member concluded by moving—

"That a Select Committee be appointed to consider the Petitions of Mr. Toulmin Smith, and the Papers presented to the House relative to the case stated in those Petitions."

MR. CARDWELL said that, as to the first ground of complaint, he had no inclination to defend or extenuate it. He fully admitted that there was no sufficient ground for the warrant against Mr. Smith, and that the mode of obtaining and executing it gave that gentleman just ground of complaint. The first proceeding was taken on an anonymous letter, when the Commissioners of Excise ordered an inquiry to be made. The supervisor, acting on unreasonable and unjustifiable suspicions, which were the more readily excited in consequence of the discovery of a still in a house situated in the same locality, obtained a warrant to search Mr. Smith's residence, and went there accompanied by a policeman. Having searched the greater part of the house in company with Mr. Smith, while the policeman remained outside, the supervisor was about leaving, when Mr. Smith offered to take him into a room which, at the time, was occupied by his wife and a portion of his family; but the officer refused to go, observing that he was perfectly satisfied his information was erroneous, and that he would be very sorry to trouble him or his family unnecessarily. He then made every apology in his power to Mr. Smith, and went away with the impression that he had succeeded in obtaining pardon from that gentleman. In the letter Mr. Smith wrote after the occurrence, that gentleman considered the offence lay in the act itself, and deprecated any attempt to make the officer a scapegoat for his superiors; but the tone of his correspondence soon underwent a change. The hon. Member read the voluminous correspondence between Mr. Smith and the Board of Excise, commenting on the conduct of that gentleman, and defending the part taken by the members of the Board. Mr. T. Smith stated that no apology had been made to him, and his hon. Friend asserted it in the House; but the fact was, that the apology had been long in his hands. The supervisor refused to consent to the draft of apology proposed by Mr. Smith, because it contained a passage reflecting on the conduct of the magistrate who had issued the warrant, and he objected to sign anything inculpating another person. Although the salary of the supervisor was only 200*l.*, out of which he was obliged to keep a horse and pay his travelling expenses, so that it was virtually not more than 150*l.*, and he found it a matter of serious difficulty to raise a sum of 25*l.*, he at length made up his mind to pay the demand of 25*l.*, and to sign a written apology. What, then, was the course taken by Mr. Smith? He quietly put the signed apology in his pocket, refused the 25*l.*, and not allowing that this was to be the end of the transaction between them, he kept for use in hostile proceedings, to be afterwards commenced, the statement so obtained; and he declared in his petition to the House of Commons that he did this deliberately, that he did it under advice, and that he intended to make use of it. What was the result? Neither the action against the magistrate, nor the action against Mann, had been heard of. He did not hesitate to say, that if it had not

been for these interlocutory matters and transactions, the original occurrence would have obtained substantial damages in an action against the officer of Excise. Sixty years ago Lord Mansfield had laid down that an officer of Excise could not be punished even for an act wantonly and maliciously done. If this had been the law at that time, and if his right hon. Friend were right in saying that the Commissioners of Excise were armed with terrific powers, was he not entitled to claim for them the utmost credit for the discretion with which they had been exercised? This was not a case for Parliamentary inquiry into the law, for it arose out of an abuse of the law; and he concluded as he had begun, by saying that the Commissioners of Excise censured and punished the supervisor when they first knew of his conduct, and that it was an act which no one holding any office in the Government could defend or excuse in that House. But was there any need of inquiry into that abuse? The facts were all on the Table of the House; they were all admitted; and an inquiry, if it lasted to the end of the Session, could add nothing to the information before them. A Parliamentary inquiry was now asked for into the unacknowledged and unjustified action of an inferior officer, who had been censured by his superiors, and under these circumstances he must resist the demand.

Mr. MUNTZ was extremely gratified to find that the Government had not attempted to justify the conduct of the officer. No judge but one like Lord Mansfield would have decided that an officer was not liable to punishment for a malicious act. If a private house might be entered on the authority of an anonymous letter, or something else equally frivolous, there was an end to everything like the security of domestic life. If any person were to come into his house without a warrant, he had no hesitation in saying that he should break his head. Opening letters was bad enough, but invading a man's house without authority was far worse; and he should be ready to take the most summary way of turning out any one who attempted it. He thought the conduct of Mr. Smith had been very injudicious, to say the least of it; but that was no excuse for the conduct of the officer. His punishment should have been positive, and not negative. He should have been turned out of his office at least.

Sir T. WILDE could not help thinking the course taken by his hon. Friend the Member for Birmingham (if he would allow him to call him so) rather an indiscreet one. His hon. Friend had zealously defended Mr. Smith, and this was taken advantage of to divert the discussion to the merits of that gentleman. But he wished to recall it to the public grounds of the question, of which, perhaps, the House was not fully aware. The officers of Excise were placed in a situation constantly to be called upon to act as witnesses—an obligation of the last importance. His hon. and learned Friend opposite and himself were frequently called upon in the Court of Exchequer to hear the evidence there given, and to know that in the majority of cases public liberty and property depended on it. And with respect to the oath on which the warrant for the search of Mr. Smith's house was executed, he should wish to offer a few observations to the House before he sat down. He wished to premise, however, that Mr. Smith, the petitioner in this case, he believed he had never seen but once, though his name had often passed before him as a special pleader. Indeed, the fact of Mr. Smith's known respectability in the neighbourhood of his residence, had any inquiry been made, might have satisfied the Board of Excise at once that no ground of suspicion could exist against him. The only reason of suspicion appeared to be that an illicit still had been found in as respectable a house as Mr. Smith's. What said the law on this case? That when any officer of Excise had reasonable ground for suspecting the concealment of goods chargeable with Excise duties, he must go before a magistrate and state the grounds of that suspicion, when, if those grounds were thought reasonable, the magistrate would grant a warrant of search. A man who had only received an anonymous letter upon a fact, stating that he of his own knowledge knew of that fact, would be guilty of perjury. What would be the value of an oath under such circumstances? But, in point of truth, the officer had followed the directions of the Act of Parliament. He had gone before a magistrate, and stated he believed an illicit still was to be found on the premises. But any magistrate who determined to grant a warrant, thinking the receipt of an anonymous letter sufficient to furnish grounds of legal suspicion, was not fit to occupy a place on the Bench. As to remedy, it was an insult to talk of it; there was none as he believed; but suppose there was—then his hon. Friend said that Mr. Smith's conduct had been much

misrepresented and misunderstood, and if a Committee were granted it could be cleared; while, on the other hand, if such an injury was allowed to go unredressed, the law must be in a state which ought not to be allowed to remain. If there was any doubt as to the facts, the proper way to settle it would be to grant a Committee, not as regarded Mr. Smith, but for the sake of the public. Here was a law giving large powers, which were put in execution by men incapable of paying damages, and surely those men ought to be under proper control. The warrant set forth that it was granted by the magistrate on reasonable ground being shown. Would any man contend that an anonymous letter formed reasonable ground? It was fit the House should know whether the anonymous letter had been stated truly as the ground for the application; for it was scarcely credible that a magistrate would grant the warrant upon such cause only being shown; but if he had, he could not be justified in so doing. As to Mr. Smith himself, he was only to be regarded as the instrument of bringing forward a case of gross abuse. With respect to the head of the Board of Excise, a more active, intelligent, and honourable officer did not exist in any department; but as regarded the case now before the House, he (Sir T. Wilde) submitted than the conduct of the officer had been such as to require more than the loss of chance of promotion.

The ATTORNEY GENERAL said, he was at a loss to understand upon what his hon. and learned Friend founded his argument for a Select Committee; because his observations had been entirely directed against the officer and the magistrate—upon which they were all agreed—his hon. Friend, the Secretary for the Treasury, having distinctly expressed the disapprobation of the Government as to the conduct of that officer; but his hon. and learned Friend seemed to desire that a Committee should be appointed to decide whether a suspension of three years was a sufficient punishment for the misconduct of the officer. With respect to the anonymous letter, his hon. and learned Friend's experience no doubt agreed with his own, that many gross but subtle and secret frauds had been discovered through such a medium; and if the revenue was to be protected, that kind of information must be sometimes acted upon, guardedly and cautiously, he admitted; but so the Commissioners had acted, for they had sent the letter to a superior officer, a collector, with directions to inquire into the subject and report. The collector, unfortunately, was necessarily absent, and he transmitted the information to Mann, who was an experienced officer, having conducted himself well for thirty-two years, and who, the collector took it for granted, would act with proper discretion. Unfortunately, Mann had reason to believe that the anonymous information was correct, in consequence of having before discovered a secret still in the very same neighbourhood, in a better house than Mr. Smith's. He was not justifying the officer in acting as he had done upon suspicion; it was his duty to make the requisite inquiries before he took the step of proceeding to the magistrate. It was certain that, as the testimony of these officers was required, it was highly necessary they should be men cautious in respect to their oaths; and he admitted that, without further information, the magistrate was not justified in issuing the warrant; but he disagreed with his learned Friend in the opinion that there was no ground of action. Mr. Smith had not made any just or rational requirement of the Commissioners that had not been complied with. The Commissioners, immediately on the receipt of his first letter of complaint, wrote to him to say that the charge he brought forward against the officer would undergo the strictest investigation; but, before they came to any decision, they must call upon the officer for an explanation. This was, surely, nothing more than fair play and justice. The officer was called upon for an explanation—that explanation did not satisfy the Commissioners, and they did not hesitate to punish him in an exemplary manner. The hon. and learned Gentleman then proceeded to recapitulate the facts of the case *ab initio*, with a view to show that it was not one which called for, or indeed would justify, the interference of the House; and ridiculed the idea of Mr. Smith clothing himself in a public character, and calling for investigation on purely public grounds. He (the Attorney General) thought such a demand absurd; and, indeed, he could not forbear expressing his feelings of regret that a member of his own profession—a gentleman who was said to have maintained a high and respectable character—should have acted in a manner unworthy of the reputation attributed to him by the learned Member for Worcester, and he would also add, in a manner unworthy of the profes-

sion to which he belonged. The whole facts of this case, from first to last, had been submitted to a most rigid investigation, and had been detailed in the fullest and most comprehensive manner; and it was altogether out of the question to suppose that any additional information could be obtained by the appointment of a Committee. In the present case, no doubt the law had been abused, and the officer had acted unjustifiably, but he had been visited by the heavy displeasure of his official superiors. There was nothing in this case, however, which called for a radical alteration in the law of the country; and it was absurd, therefore, to advocate the appointment of a Committee on public grounds. The courts of justice were still open to Mr. Smith, if he chose to have recourse to them, for redress of the injury he had unquestionably sustained. Nay, more, he had already gone into court; and as his actions were still pending, it would be worse than useless, it would be a most unwise, inexpedient, and wanton proceeding in that House to attempt any interference.

Mr. HAWES said, that he had entered the House that night strongly inclined to the opinion that it was not desirable that this matter should be submitted to an inquiry on the part of a Committee; but the speech of the hon. and learned Member for Worcester had placed the matter in so new an aspect, that he (Mr. Hawes) had completely changed his opinion. The Committee should be granted on public grounds, and the conduct of Mr. Smith might be put out of the question altogether. This much he would say, however, that Mr. Smith was a gentleman of the highest respectability, both in respect to his personal character and his family; and any prejudice against him grounded on the allusions in his letters to claims for money were quite unworthy, and ought to be summarily dismissed; for in his first letter to the Commissioners he expressly stated his intention to devote to charitable purposes any sums that he might demand from them. There were, he was sure, many facts connected with this case which were not before that House in the shape of documentary evidence, and he thought it highly probable that an investigation before a Committee would bring to light much information as yet in the shade. But he called for a Committee on other and more important grounds. Parliamentary inquiries had been instituted into the conduct of the Poor Law Commissioners on former occasions, and he could not see why an inquiry in the present instance should be resisted. With regard to the magistrate, he wanted to know on what the magistrate had acted. Did he only act upon the anonymous letter? He might have had a great deal more information laid before him; but if he acted only on the copy of an anonymous letter, then he (Mr. Hawes) would say it was time for the Secretary of State to consider the question, whether one who had acted so hastily and carelessly, in a matter concerning the liberty of the subject, ought to remain in the commission of the peace. In conclusion, he expressed a hope that the House would think there were sufficient grounds to justify an inquiry into this subject.

Mr. BRIGHT thought it was desirable one or two facts should be stated to the House. The House ought to know that Mr. Smith was advised, by very high legal authority, to bring an action against the officer who entered his house; and he was advised also, that the damages he would recover would be certainly large. With regard to the charge of extortion, nothing could be more absolutely absurd, as connected with Mr. Toulmin Smith. There was not a gentleman acquainted with him who would not laugh at the idea of his asking 10*l.* or 20*l.* as compensation for the injury he had suffered. With respect to the allegation that he wished to keep a certain apology the officer had made him, the fact was, that the officer went to him and offered to make the apology. A draft of the apology was drawn up, which was taken away by the officer and his friend; but when they brought it back, Mr. Smith observed, that there was some alteration from the original draft, and that it was not the apology they had agreed upon. The officer said, if Mr. Smith would keep that apology, he would come back again with an apology in strict accordance with that originally agreed upon, which was then to be exchanged. He never did return, and wished to have the apology back which Mr. Smith had in his hands; but Mr. Smith said he would not part with that, for the officer did not fulfil his engagement. Mr. Smith was aware, as well as any other legal Gentleman in that House, that he could not use as evidence, in a court of justice, anything he had obtained from that officer. From a private letter he had seen, which passed between Mr. Smith and a gentleman connected with this case, he could state that the charges

which had been made, not only there but elsewhere, as affecting Mr. Smith's conduct in that case, did not go to throw the slightest discredit upon his honour and character; and he (Mr. Bright) was quite sure that in the course Mr. Smith took, his only wish was that the case should be exposed, and a remedy provided, and he thought that Mr. Smith was utterly incapable of the things that had been laid to his charge.

MR. NEWDEGATE must say, that he thought the hon. Member for Birmingham was fully justified in bringing forward this case. After the able statement of the hon. and learned Gentleman the Member for Worcester, the case was fully before the House, or, at all events, the outlines of it; and there could not be a doubt that it was one of gross outrage and want of remedy. And was there, then, no reason for inquiry, as had been alleged? —no reason for inquiry into a system by which experienced and public officers were led into the commission of acts of this nature, and where Commissioners of Excise issued instructions on such vague authority and foundation solely as were to be found in an anonymous letter? Such conduct, adopted on such grounds, unquestionably demanded investigation; and though he thought that the hon. and learned Member for Worcester had done well in separating the case of Mr. Smith from the great constitutional principle involved in it, still, when they heard the learned Attorney General say, that the conduct of a gentleman who was a member of his own profession, had been such as was wholly unworthy that profession, he must say that that alone afforded a sufficient ground of justification for the House allowing that gentleman to explain his conduct. He hoped, therefore, that the House would consent to this inquiry, as he was afraid it was but one of many instances of abuse, against which, in the case of a poor man, the injured party would have no security.

MR. WAKLEY would hear, with deep regret, that the House had decided not to inquire into the case which the hon. Member for Birmingham had brought forward. The Attorney General, who had addressed the House with legal tact and ingenuity, had diverted its attention from the main question before it, and endeavoured to narrow it and bring it down again to the grievance Mr. Smith had sustained. He would take him on that point, and did not wish for a moment to diverge from it. One of the most important duties they had to discharge was to protect the petitioners who came to them for redress; but instead of that line of policy being adopted, what was the course they had pursued? When a party persecuted by persons in power came to complain, some paltry and despicable insinuations were made against his character in answer to the case he brought before the House. The hon. Gentleman the Secretary for the Treasury, when he began his speech, hemmed and hawed about the character of Mr. Smith—"he had been tempted to say so and so about the character of Mr. Smith; however, he would not do so." Why, he (Mr. Wakley) asked, until this affair occurred, who dared make an attack upon the character of Mr. Smith? It was said that Mr. Smith had been guilty of subtle practices. The expression used was, that he had entrapped the officer to make certain admissions; and after those charges were made against a petitioner for redress to that House, could they refuse him inquiry? Why, he asked, should they blame Mr. Smith for not conducting his case in a more judicious way? He was a lawyer conducting his own case —a lawyer without a fee! He (Mr. Wakley) would ask anybody if it was to be expected that a lawyer should display great legal skill and ingenuity when he was acting for himself, and without the direct stimulus of a fee? Leaving out of the question the original complaint, would they refuse to Mr. Smith the opportunity of clearing himself from the aspersions cast upon his character in that House during that discussion? He was convinced that no body of English gentlemen who acted independently in the discharge of a public duty, would refuse an investigation to a man who had been treated as Mr. Smith had been treated. He appealed to the right hon. Baronet opposite, and asked him whether he would trouble the House to divide on this occasion? He hoped he would not; but if he did, he trusted he would be left in a minority. There were extraordinary powers conferred by the Excise Act on the officers belonging to it; and were they by a decision of that House to make proclamation to every one of those officers throughout the kingdom, that, do what they would, the House of Commons would not inquire into their conduct? He (Mr. Wakley) had been informed, since the discussion commenced, and since the Secretary for the Treasury had made his speech, that every allegation

of facts he had made was incorrectly stated; and was it to be borne that a petitioner who had suffered the great wrong Mr. Smith had sustained, should appeal to that House for redress, and be met with a refusal?

The CHANCELLOR OF THE EXCHEQUER said, that whatever it might be their pleasure to do on the question submitted to them, it was not for him to determine. It was sufficient for him to satisfy his own mind, from the discussion that evening, that there was not any sufficient ground for inquiry; in fact, there appeared to be nothing into which the House had to inquire. He was sorry to see many persons then present who had not the benefit of hearing the whole of this case as it had been detailed in the different speeches that had been made, both on the one side and the other, because there were many who would not be enabled to form that correct opinion of the circumstances of the case which an attention to the earlier portion of the case would have enabled them to form. An hon. Member said, that this was not the case of a poor man. He was glad that it was not. They charged the Excise with oppressive conduct, merely because an inferior officer acted in a way which all condemned, and which that Board had marked their sense of by suspending this officer; he could not conceive, therefore, what there was to enlist party feeling, or to justify the House in instituting an inquiry. As for the character of Mr. Smith, by whom had it been brought before the House? Not by his hon. and learned Friend, but by the hon. Member who had opened the discussion. But even the hon. and learned Member for Worcester said that he would not defend the discretion with which Mr. Smith had acted. The hon. Member who spoke last said, that there should be inquiry because imputations had been raised against Mr. Smith. Now, the only charges against that gentleman had arisen out of the substance of the letters which he had chosen to write. The Excise did not defend the conduct of the officer, but distinctly stated that his conduct was improper, and no Member of the Government had said anything in palliation of it. What, then, was there to inquire into? Was it the character of Mr. Smith, with the view to his defence; or was it into the constitution or the proceedings of the Board of Excise? Did hon. Members think that the punishment of the man was not sufficiently severe? He wished the House to understand the circumstances under which this man was placed. He was suspended for three years; and he had been thirty-two years a faithful and discreet officer, during which time he had not once been censured. In addition to this, they could not prevent Mr. Smith from proceeding against him. Indeed, Mr. Smith distinctly declared that he should take legal proceedings against the officer. The Excise stated that they would not defend him, but that he must bear all the charge of the proceedings, and that he must be liable to the penalty of his conduct, however much it might cost him. He could not conceive what could be the object of inquiry, as the man had been suspended from promotion for three years, and was exposed to an action which might insure vindictive damages, which would be his utter ruin. With respect to the Chairman of Excise, he had taken very different views on political subjects from that Gentleman when he was in Parliament, and had a very slight acquaintance with him, and was not biassed in his favour; but since he had had constant official communication with him as to the mode in which the severe laws of the Excise should be executed, he uniformly found that he exercised the greatest discretion in the mode of dealing with the cases before him, and great judgment in deciding on them; and the utmost care was taken that the laws were duly enforced, so as to prevent frauds on the revenue, but without harshness or severity. With respect to anonymous letters, he might be allowed to state that a great number of frauds on the public revenue had been brought to light by them. He could state this from his own knowledge, as he had often been enabled to detect frauds by such means. According to what had fallen from some hon. Gentlemen, a charge of this kind was not to be inquired into, because it was alleged against a person in a respectable situation in life. If it should be the pleasure of the House to appoint a Committee, he had not the slightest idea as to what they would proceed to inquire into. Did they mean to inquire into the constitution of the Excise board, or into the Excise laws, or into the character of Mr. Smith, or into the amount of the offence? If they instituted such inquiry, it would be attended with very little profit. If there had been any grievous case of oppression, where a party could not get any redress, he should regret opposing it; but he did not think that there

was any ground for inquiring into the present case.

MR. B. ESCOTT was understood to say that the right hon. Gentleman (the Chancellor of the Exchequer), who had vindicated the Board of Excise at such length, had not made any allusion whatever to the conduct of the magistrate who, in granting the warrant upon which Mr. Smith's house was searched, had acted most illegally and unjustly. He begged to assure hon. Gentlemen who called for a division, that he was not going to discuss the question whether the receipt of an anonymous communication was a sufficient ground upon which the Board of Excise should act; but he would ask, whether such letter was a sufficient warrant for a magistrate to interfere, for in the warrant the magistrate was obliged to say that he had received sufficient, just, and reasonable grounds upon which to proceed. If such information were to be acted upon, there would be an end of all justice and equitable operation of those laws.

MR. W. MILES vindicated the conduct of the magistrate, contending that on the face of the warrant there were sufficient grounds to justify the conduct of the magistrate. The hon. Gentleman read extracts from the warrant, stating that the magistrate had acted upon the information of Peterman, who alleged that he suspected Mr. Toulmin Smith had an illicit still concealed on his premises. Upon such information warrants were repeatedly issued from the police courts. He believed the magistrate had in this case acted perfectly right.

MR. SPOONER briefly replied; and was understood to implore the Government, for the sake of the petitioner and for the sake of the public, to accede to the Motion.

The House divided. Ayes 125; Noes 134: Majority 9.

COMMERCIAL POLICY OF GOVERNMENT—CANADA.

LORD G. BENTINCK said: It was, Sir, my intention and wish to have a discussion this evening, on the question of the Canadian Colonies, in the present alarming state of those Colonies. Under any circumstances, considering that the trade of this country with Canada equals three-eighths of the entire trade with America, and considering that the shipping interest engaged in the trade with the North American Colonies equals one-sixth of the whole British shipping engaged in the foreign trade of this country, I think this question is deserving of the attention of this House. Indeed, at any time I should consider that a question which concerns the prosperity of the Canadas was well deserving the attention of this House; but, under present circumstances—seeing that news arrived only yesterday of the rejection by the Legislative Assembly of the commercial policy of Her Majesty's Government, considering the rejection of that policy by the Canada Legislative Assembly, and the conversion of a majority of sixteen which the Canada Government held, into a minority of seven, on a question connected with that before this House—I mean the Corn Importation Bill and the Tariff Bill—I think it would be most desirable that the attention of the House and the attention of the country should be attracted to the situation of Canada, before we proceed to a final decision on the Corn Importation Bill. And though I feel that at this late hour of the night there could be no question of the propriety of bringing forward this subject, yet I should have thought that no apology need be made to this House or the country if I had at an earlier period of the evening interposed this discussion between the House and the farther consideration of the Corn Importation Bill. The position of the Canadas is a matter of such vital importance to the prosperity of this country, that I should not think it too much to propose a call of the House before we finally decided on the Corn Importation Bill. Sir, it is probably known to Members of this House that a despatch was addressed by Mr. Gladstone in the early part of the month of March, to the Governor General of the Canadas, intimating to my Lord Cathcart the nature of the measures that were to be introduced by Her Majesty's Government. It appears by the speech of my Lord Cathcart to the Legislative Assembly of Canada, that he addressed to Mr. Gladstone a remonstrance against the commercial policy proposed to be introduced by Her Majesty's Government. My Lord Cathcart, in the conclusion of his speech to the Legislative Assembly of Canada says—

"The last intelligence from the mother country indicates a most important change in the commercial policy of the Empire. I had previously taken occasion to press upon Her Majesty's Government a due consideration of the effect that any contemplated alteration might have on the interests of Canada. But until we have a fuller expo-

sition of the projected scheme, which a few days will probably bring to us, it would be premature to anticipate that the claims of this province to a just measure of protection had been overlooked.

"In these and the various other subjects affecting the prosperity of Canada, which may occupy you, I offer my hearty co-operation; and I earnestly trust, under the direction of an all-wise Providence, that we shall be enabled to pursue a course calculated to promote the best interests and to foster the rising growth of this rapidly advancing Colony."

From this speech of the Governor General of Canada, it seems that he did address a strong remonstrance to the Government in this country against their commercial policy. So strongly does the Governor General feel on the subject, that while he informs the Legislative Assembly of Canada that he has remonstrated with the Government of this country, he also assures the Assembly that he will co-operate with them in resisting the commercial policy which the Government of this country had proposed for their adoption. This appears to me to be a matter for very grave consideration. Here we have Her Majesty's Representative in the Colonies remonstrating with the Government at home against the policy which they are introducing. But coupled with the speech of my Lord Cathcart, there have been other indications of dissatisfaction on the part of the Colonies with respect to the policy of Her Majesty's Ministers. At a meeting of the Board of Trade, in which the mercantile and agricultural interests were assembled, at Toronto, a few weeks previous to the meeting of the Legislative Assembly, I find strong language was used, as regards the probable consequences of the measure which it was then supposed would be introduced into Parliament by this country. The President of the Board of Trade in Toronto, in speaking of those measures, said—

"He (Mr. Workman) believed that the mercantile class of Canada were in a very undecided state of mind at the present moment. The proposed measures of Sir Robert Peel, although men of ordinary penetration could not for some time back have failed to foresee their arrival, had taken many of our community by surprise. We were in the same condition as a man suddenly precipitated from a lofty eminence—we were labouring under concussion of the brain."

This was the language of the President of the Board of Trade.

"Serious derangements in our fiscal resources could not fail to result from the operation of Sir R. Peel's new Tariff. Many articles at present imported into this province yield large duties, levied under our imperial customs' law, which were intended to act as protections to British interests. It would be observed that Sir R. Peel proposed to abolish many of these duties at home; and, of course, he would also abolish them in the Colonies, for he would not ask for protective duties in the Colonies after he had repealed them in the mother country."

Mr. Workman went on to say, he had been informed that some of our citizens, from whom he had not expected such sentiments, had declared there was nothing left for Canada but annexation:—

"He implored those gentlemen to be very careful in the promulgation of their opinions or apprehensions. We should not forget that the province owes a debt of three millions sterling."

So that we have the authority of Mr. Workman, that frequent discussions had arisen in the Canadas on this subject. He was answered by a Mr. Bolton, who said—

"He could not but think that the mother country, at any rate, should make us a present of the public works. This would be no more than justice, after having deprived us of the power of obtaining a protective revenue."

It will be in the recollection of the House, that large sums of money have been voted by the Parliament of this country for the purpose of promoting commercial communication with Canada, and also for maintaining that protection which the Colonies had been cherishing. It was only in 1843 the Canada Corn Bill was passed, which was held to be a compromise—almost a bargain—with our Canadian Colonies, and on the faith of which considerable outlays of money were made in the Colonies, in the promotion of water communication, and other undertakings of a commercial character. The Canadas were then led to believe that that was a permanent measure; but three years had not elapsed before all the capital which had been vested on the faith of that measure was to be sacrificed by the adoption of a different system of commercial policy. Almost every other speaker used language similar to that of Mr. Workman.

"The operation of the protection law had been most destructive to the interests of the carrying and milling trades of Canada; and now that the differential duty in our favour in the mother country was about to be removed, we should find that the trade in Western States' produce would leave our waters altogether. He knew not what causes to assign for their prosperity, unless their superior activity and enterprise, and probably their superior institutions."

What was the language of the Solicitor General of the Crown—a Gentleman from whom no factious language could be expected? The Solicitor General of the Crown, at the conclusion of his speech, held this remarkable language:—

"He did hope, however, that the commercial class would maturely weigh all the consequences which must result from the substitution of the United States markets for those of the mother country. It would be impossible but that such a change in our commercial relations would very soon bring about a change in all our other relations. Our interests would cease to be identified with the interests of the parent State: our mental associations would assume new forms; our customs, and laws, ay, and our institutions too, would be assimilated to those of the people with whom we cultivated mercantile relations. There was a time, the hon. Gentleman said, when he believed that patriotism had no connexion with self-interest; but he had lived long enough to change his opinion on that subject; and he did think that loyalty had some relation to pecuniary considerations. If, however, by a course of imperial policy, over which the people of Canada can exert no possible controul, they are forced into a new sphere of social and political attraction, attraction, they are not the culpable party."

Here is a distinct intimation to the mother country, that the result of those measures if carried, will be to drive the Colonies to "annexation" with the United States. And when an intimation of this kind comes from a person in the high station of the Solicitor General of the Crown, I think it affords matter for our serious consideration, whether this country would be prepared or not to carry measures that would drive the Canadas into more immediate connexion with the United States—in fact, cause us to lose the Canadas altogether. But now let us turn to the United States, and see what their views and feelings are on this subject. I shall now give you the opinions of the people of the United States, as they may be collected from the *Weekly Herald* of New York upon the despatch of Mr. Gladstone to the Governor General of Canada. In that despatch Mr. Gladstone remarked, that the Canadas had already such advantages that they would be enabled successfully to compete with the inland navigation of the United States of America, and, therefore, might have nothing to fear from the competition of the United States. The *New York Weekly Herald* says—

"The people of Lower Canada take a deep interest in the proposed changes in the Corn Laws of Great Britain, and the correspondence that has taken place between the Governor General of Canada and the Secretary of the British Colonies in relation to the subject. The latest despatches from the Colonial Secretary say that the Canadas will receive some advantages from the Government, placing her products above those of other countries, and some facilities in carrying on a trade in bread-stuffs with the United Kingdom, that will enable her to enter into competition with the Western States. The Secretary considers some of these advantages and facilities are already enjoyed in the number and extent of the public works of Canada, 'the improvement in her internal communications; her more regular and speedy course of trade with Great Britain; her low tariff, so favourable to importation; some advantage on the point of proximity as compared with the Westerly States of the Union; and, lastly, the means of carriage without transshipment by the St. Lawrence, which cannot be had by the Erie Canal."

These are the grounds on which Mr. Gladstone expresses his hope that the Canadian Colonies will be able successfully to compete with the United States. But the New York people say—

"If these are all the advantages Canada enjoys, or is likely to enjoy, in her trade with the mother country, we must confess they are very limited, and of very little value. They are not considered advantages by the people of Canada, and only, in fact, exist in the mind of the Colonial Secretary. We have shown by the publication of a series of tables, that flour produced in Upper Canada can be landed in Liverpool, notwithstanding the existing differential duties, cheaper than it can go by the way of Montreal and Quebec. We have also shown, that under our drawback law, nearly every description of foreign merchandise can be landed at the numerous lake ports in Upper Canada, by the way of New York, cheaper than *viâ* Quebec and Montreal; and in the event of the Bill now before Congress, known as the Canadian Export Drawback Bill, passing and becoming a law, nearly every article of export from Upper Canada can be exported by the way of this city cheaper than by the way of the St. Lawrence. The Secretary considers, also, that 'the shipping of British North America has many advantages over that of the United States in the competition for freights, as it is constructed at less expense and navigated with equal efficiency.' This is a mistake fully as unfortunate as the others; and if the people of Lower Canada are to depend upon these advantages, which the British Government appears to attach so much importance to, we fear her foreign trade, particularly with the United Kingdom, will not be much increased or improved by the commercial system of Sir Robert Peel. Those intimately acquainted with the extent of our internal improvements, with the rapid increase realized every year in facilities of communication, and with the steady, although gradual, reduction in the expense of transportation from one extremity of the land to the other, know very well that the internal improvements of Canada cannot now, or ever, compete successfully with those of the United States. The cost of producing grain in this country, and its cost, landed in our seaport markets, is annually becoming less; and we have very little doubt but that, as our territory becomes extended, our population more dense, our currency more valuable and more uniform, both in quality and quantity, and our facilities for cultivation, by improvements in agriculture, greater, we shall be able to compete more successfully with the Canadas in the grain markets of Great Britain, than we do now, notwithstanding the immense advantages the Colonial Secretary imagines the North American provinces possess in a commercial and every other point of view."

You have, therefore, the authority of the press and people of New York, that the entire trade of Canada to England will be henceforth by way of New York, and, con-

sequently, that our Colonies will lose much of their trade with the mother country. And be it recollected, that if we lose the trade of the Canadas, we lose the whole of the carrying trade with America. By the last returns placed on the Table of this House, it appears that the number of British seamen engaged in the timber trade alone of the Canadas, amounted to 36,000; whilst the trade with the United States of America engaged but one-fourth of the number employed in the carrying trade carried on in British bottoms. The number of British seamen employed in the Canada timber trade, amounted, in the last year, to 36,000, including, of course, double voyages. The seamen engaged in the trade of the United States, also including double voyages, amounted in 1844 to 8,000 or 9,000; so that you have four times the number of British seamen engaged in the Canada trade, that you have in the entire trade with the United States of America: I should have said the trade of the North American Colonies when I said Canada. You have a colonial population of 1,600,000 souls, and in your trade with them you employ four times the number of seamen that you employ in your trade with 20,000,000 of people. With but 1,600,000 colonists, your exports amount to 3,000,000*l.*; while your exports to the 20,000,000 of inhabitants of the United States, amount only to 7,900,000*l.* Are you then prepared to sacrifice your colonial trade by the proposed measure? The *Weekly Herald* then goes on to state—

"The Secretary considers, also, that 'the shipping of British North America has many advantages over that of the United States in the competition for freights, as it is constructed at less expense and navigated with equal efficiency.'"

Now, considering that the United States of America reserve to themselves three-fourths of the entire carrying trade with this country, it is difficult to perceive how the shipping interests of our Colonies can have any great advantage over those of the United States in point of economy. But what says the *New York Herald* to this observation of the Colonial Secretary? They say—

"This is a mistake fully as unfortunate as the others; and if the people of Lower Canada are to depend upon these advantages, which the British Government appears to attach so much importance to, we fear her foreign trade, particularly with the United Kingdom, will not be much increased or improved by the commercial system of Sir Robert Peel. Those intimately acquainted with the extent of our internal improvements, with the rapid increase realized every year in facilities of communication, and with the steady, though gradual, reduction in the expense of transportation from one extremity of the land to the other, know very well that the internal improvements of Canada cannot now, or ever, compete successfully with those of the United States. The cost of producing grain in this country, and its cost, landed in our seaport markets, is annually becoming less; and we have very little doubt but that, as our territory becomes extended, our population more dense, our currency more valuable and more uniform, both in quality and quantity, and our facilities for cultivation, by improvements in agriculture, greater, we shall be able to compete more successfully with the Canadas in the grain markets of Great Britain, than we do now, notwithstanding the immense advantages the Colonial Secretary imagines the North American provinces possess in a commercial and in every other point of view."

Here then you have pretty clearly expressed the opinion by those who are most likely to form an accurate judgment on the question, that the Colonial Secretary has displayed gross ignorance in dealing with the trade of the Colonies. But it is not the single opinion of one newspaper writer in New York. I have before me the opinion of another newspaper writer, also published in New York, the *New York Herald*, in which that opinion is still more strongly expressed. This article is headed "The affairs of Canada." The writer says—

"The intelligence from Canada is beginning to be of an extremely interesting character. On the receipt of the news of the proposed Tariff of Sir Robert Peel, considerable dissatisfaction was manifested in Canada. They say, that to abolish the duties on grain produced in the western parts of the United States, must materially affect the commercial interests of Canada, and facilitate its annexation to the United States."

The writer adds—

"It does not require any great sagacity or foresightedness to arrive at this conclusion, nor to perceive that it will be the means of hastening the annexation—a measure which time, and the moral effect of our laws and institutions, must finally consummate. But we account for the measure in this way. Peel felt the influence of a powerful pressure at home, which he was forced to go along with, as he could not stem; and hence he determined to carry out his new commercial system, even though it should hasten an event which he must inwardly deplore."

Such, then, were the opinions, not only of the greater part of those who had entered into the discussion of these questions in the Canadas, but the generally expressed opinions of the press of the United States—that the necessary consequence of this measure would be, before long, the annexation of the Canadian Colonies to the United States. On a former occasion, I had the honour of bringing this subject before the House; and on that occasion the hon. and learned Gentleman the Member for Liskeard scouted the idea that the

Canadians had any great regard either for the timber question or for the corn question. The hon. and learned Gentleman—who assumed to be the representative of the universal common sense of all mankind—informed the House that he had been in Canada, and that therefore he must know more of the matter than any other person. He assured us that there was no ground for apprehension, because the Western States of Canada were totally unconcerned in the matter. He informed the House that the geographical knowledge of the humble individual who now addresses you was greatly at fault—that I was totally ignorant of the situation of the Western States of Canada—that in point of fact no timber was imported from the western states of Canada; and when it was suggested to him that at all events corn was grown there, the hon. Member promised to answer that argument afterwards, though he forgot to do so. Now with respect to the timber question, I hold in my hand a letter which was addressed, after the discussion, to the editor of the *Times* by a gentleman engaged in the Canada timber trade. I dare say I know the writer of that letter—it is Mr. Pemberton, the largest timber merchant in the City, and one who is extensively connected with the timber trade of Canada. What is the answer which Mr. Pemberton gives to the observations of the hon. and learned Gentleman? He says—

"The incorrectness of the above assertion will be apparent at once, from the fact that the value of the lumber exported from the St. Lawrence last year was about 800,000*l.*, of which at least three-fourths were the produce of Canada West. Mr. Buller, in proof of the above, quotes a despatch of Lord Sydenham's, dated at Kingston, in which he states 'that not a soul in this town (the capital of Canada West) has any interest in the timber trade.' It is strange, but not the less true, that at the time when Lord Sydenham wrote this despatch, the mayor of that town was a partner in a commercial firm which sent to Quebec annually lumber of the value of 60,000*l.*, the whole of it the growth and produce of Canada West."

He goes on to say, that the value of the Canada red pine is superior to that of the Baltic; but, judging from returns furnished to this House, if they be correct, this cannot exactly be the case; for I see by these returns that the price of Memel timber is 2*s.* 6*d.* higher than the Canada red pine, the highest price of the one being 4*l.* 10*s.*, while 4*l.* 12*s.* 6*d.* is the highest price of the other. Then the hon. and learned Gentleman tried to alarm this House, and to frighten elderly gentlemen out of their beds with the fear of bugs, which he adduced as the necessary consequence of using Canadian timber, though there was no sound reason for making these statements. But it does not appear that upon the subject of the timber duties the Canadian colonists are altogether indifferent; for I hold in my hand the petition of the Quebec Board of Trade, which is one of the Papers I now move for, in which they say—

"That the introduction into the Imperial Parliament of measures, the operation of which will immediately deprive the province of Canada of a great portion, and at no distant period, of all the protection her produce now enjoys in the markets of the United Kingdom, should be received by your petitioners with anxiety and alarm, cannot be a matter of surprise.

"Convinced as your petitioners are of the desire of Her Majesty's Government to encourage the commerce of the colonial possessions in North America, and promote the welfare of Her Majesty's subjects therein, and convinced also that any legislative measures prejudicial to the North American Colonies must be prejudicial to the shipping and other great interests of Great Britain, they beg respectfully to bring under your consideration certain suggestions which it appears to them would, if carried out, be beneficial to the Colonies and the Parent State, whose interests are inseparable.

"That the question no doubt will suggest itself to you, whether the natural effect of this seductive law will not gradually, silently, and imperceptibly to themselves, wean the inclinations of the subjects of Great Britain from their true allegiance to the Parent State, and bias their minds in favour of a closer connection with a foreign country through which the transport of their merchandise and produce is encouraged, and a consequent more frequent intercourse with its inhabitants produced."

Here, again, is a practical proof that the results of this measure will be to throw the transport trade of the country altogether into the hands of the United States of America. The United States of America are wise enough to see what must be the effect of such a measure; and in order to obtain the carrying trade of the Colonies, they have now passed a drawback bill, by which they give back the full extent of the duties that are levied to all goods that pass through the Erie Canal. That the effect of this measure must be to transfer the carrying trade of Canada to the United States there can be no doubt, for it is clear by the statements here made, that the expense of conveying corn from the Western States of Canada to New York is less by 2*s.* per quarter than it is in conveying it from the the St. Lawrence to Liverpool. [Mr. ROEBUCK: No.] The hon. Member says no, but the statement is made by a merchant of the country. He says—

"Canada requires a protection, as compared with New York, of not less than 4*s.* to 5*s.* per quarter. Nine-tenths of the ships go out in ballast, and must be paid on their timber cargoes a freight sufficient for the round of the voyage. The shipowner who is offered freight home, will not take a low freight for corn, if a full one is to be paid for timber. Canada freights cannot be cheapened therefore. You are aware of our high insurances from Canada after September 1. On the same day, in Liverpool, I insured in September last a large amount on flour, from New York, at 1*l.* per cent., and from Quebec at eight guineas. This is an extreme case, though ten guineas was paid; it was only for November shipments. October was 3*l.* to 5*l.* as the month advanced.

The direct trade with the United States has this farther advantage, that the communications are open all the year through, while Canada is shut during the whole of the winter; and every one who is acquainted with the shipping interest must be aware that ships which are laid up during the whole of the winter lie under a great disadvantage as compared to those which go to sea all the year round; and when they can make two voyages with freights varying from three to eight guineas, it must be clear to every one, that, exclusive of all other expenses, the shipping interest of Canada labours under a great disadvantage. With respect to timber I ought to observe, that being aware of the pressure upon the Government, and knowing that there was some chance their measures would succeed, the colonists humbly begged that the reduction of the duty on timber might be limited to 5*s.*, leaving them something less than the absolute difference of freight from the Baltic as compared with Canada—the freight from the Baltic having varied in the course of last year from 10*s.* to 24*s.* per load, while from Canada the freight was from 37*s.* to 2*l.* But there is still another consideration—a great portion of the timber grown in Canada stands upon Crown property, and so the timber yields to the revenue a duty of 4*s.* 2*d.* per load. [Mr. ROEBUCK dissented.] The hon. Member shakes his head, but he will find it to be so. Well, then, Her Majesty's Ministers, in introducing their measures to the country, held out to Parliament the inducement, that their adoption would have the effect of encouraging the friends of free trade in the United States, to remove their restrictions on our commerce. Dear as this purchase would be, made at the cost of the loss of the Canadian Colonies, it might have been matter for grave consideration whether, if we could ensure for ever an unrestricted trade with the United States of America—whether the loss of the Canadian Colonies in a mere commercial point of view might not thereby be compensated. But now see what are the prospects of such a removal of restrictions on the part of the United States of America. I find as regards the Tariff, that such an immense appropriation of money is called for to put the country into a state of defence as will use up the surplus three or four times over, and that the present Tariff must necessarily be retained with its protective duties for the amount of revenue it yields to Government. The Tariff, it is stated, will be the last Government measure that will be brought forward, and its fate will much depend upon the measures that have preceded it. I find in a leading article of the *Times*, a journal which usually advocates the same opinions with Her Majesty's Ministers—I find the following confession in the *Times* of Monday—

"Already we understand that his views upon the tariff, which might have given a permanent and pacific lustre to his administration, have been abandoned, or at least postponed, doubtless because they involve sacrifices of revenue which it is absolutely impossible to make."

So all hope, for the present at all events—all hope of the reduction of the tariff, and of removing the restrictions on the introduction of manufactures, must be abandoned. Then see the state of our cotton trade with the United States of America, as compared with the trade of the Canadian Colonies. In an able pamphlet on the free-trade policy of this country, lately written by a "Liverpool Merchant," it is stated, that whilst our Canadian Colonies take 37*s.* of our manufactures per head, the United States take only 7*s.* $11\frac{1}{4}d.$ per head. But the progress of the cotton trade is too remarkable to be passed over without notice. It appears that the exports of cotton goods and plain calicoes to the British North American Colonies in 1841 was little more than seven millions and some hundred thousand yards, while in 1845 it was eleven million yards, and that the exports of printed cotton, which in 1841 were only ten million yards, in 1845 had increased to thirty millions of yards. The argument, however, is, that if we open the trade with the United States, they will take more of our manufactures; but the experience of the last few years does not give any ground for such expectations. I do not like to weary the House by going much more into those details, which, if time permitted, would enable me most satisfactorily to show the impolicy of the measure introduced by Her Majesty's Government—a

measure which must, in the very nature of things, produce the worst consequences to our Canadian Colonies. Were there, I say, time to go into a comparison of the exports and the imports, I could show that at the lowest calculation the imports from the United States into Great Britain exceed the exports from Great Britain to the States by more than 3,000,000*l.* per annum. In making this calculation, I have adopted the lowest estimate; for while the article of cotton alone is valued at 7$\frac{3}{4}$*d.* a lb., I have taken the account at little more than half the official value. In estimating the cotton of America, therefore, at half the official value, there is not, I am sure, a Gentleman in this House who would say I have made the estimate too high; yet, taking the great article of cotton from the United States at little more than half the official value stated in the Returns before Parliament, with that great reduction in the calculation it appears there is a balance in favour of the United States of 3,000,000*l.* What, then, becomes of the argument so often used, that you will encourage and vastly increase the exports of your manufactures to the United States, by promoting a reciprocity of feeling, by an interchange of articles of trade and commerce? Facts are against that view; for it is not their inability which prevents the Americans to trade with us, and to take from us our manufactures, but it is a part of their policy: the policy of the United States of America from its very establishment, from the settlement of its independence, always was to protect its own industry. The language and the conduct of Jefferson, of Washington, of Madison, Jackson, and others, were ever such as to convince every intelligent and impartial man, that their great design was the protection of native industry. I hold in my hand a very remarkable observation, which will show the House what were the feelings of the people of the United States when there was a cry raised on the subject of free trade in the States, and when that cry was raised in order to lower the prices. I take this observation from *Papers relative to Tariffs*, published in the United States. The question is asked—

"What harm hath the much-abused tariff of 1824 rendered to any of the people of the United States? Has one barrel of flour, one bushel of corn, one gallon of whiskey, one pound of tobacco or rice, one piece of timber, or ought else that we have for export, not been exported because of it? one pound less of cotton required of the planters, or one less of sugar consumed? Has our tonnage declined, or our seamen been less employed? Has the price of any article been enhanced to the consumer, because of the additional duty laid by the Tariff for the purposes of protection? We say, 'No,' to all these sweeping questions, and to each of the parts of the first, and demand a reason why clamorous denunciations of the Tariff should be indulged as they are."

I can also show that the exports in cotton have exceeded, in the year 1827, by an immense extent, the exports of former years; for it appears that the stock of cotton in all the British ports from America was estimated at 278,020 bales, while in 1844 they had increased to 1,246,900, and in 1845 to 1,499,600; thus clearly establishing the firm conviction that the great design of all the leading men in the United States is the protection of their native industry.

"Washington, in his Message, in the year 1789, recommended this—'Congress have repeatedly,' said he, 'and not without success, directed their attention to the encouragement of manufactures. The object is of too much consequence not to insure a continuance of their efforts in every way that shall appear eligible. Ought our country to remain dependent upon foreign supply, precarious, because liable to be interrupted? If the necessary article should, in this mode, cost more in time of peace, will not the security and independence thence arising form an ample compensation?' In his parting address, in reference to these matters, he says, 'that it is folly in one nation to look for disinterested favours from another: that it must pay with a portion of its independence for whatever it may accept under that character. There can be no greater error than to expect or calculate upon real favours from nation to nation; it is an illusion which experience must cure, which a just pride ought to discard.'"

These are just sentiments. We also read, as quoted from Mr. Pitken, a great American authority, these words:—

"In laying duties on imports in July, 1789, Congress, in reference to the preamble of the Act imposing them, declares those to be for the encouragement and protection of manufactures. The First Secretary (Hamilton), whose powerful mind seemed intuitively fully to comprehend every subject to which it bent its force, was the great advocate of American manufactures. In his celebrated report on this subject, presented to the House of Representatives in January, 1791, every argument was urged, and we may truly add, exhausted, in favour of the policy and expediency of protecting and encouraging this branch of domestic economy. The Act of 1789 (July 4) was advocated by Mr. Maddison, and runs thus:—'Whereas it is necessary for the support of the Government, for the discharge of the debts of the United States, and the encouragement and protection of manufactures, that duties be laid on goods and merchandise imported, &c.' In his Message to Congress, 8th of January, 1790, Washington says:—'A free people ought not only to be armed but disciplined; to which end a uniform and well-digested plan is requisite; and their safety and interest require that they should promote such manufactures as

tend to render them independent of others for essential, particularly for military, supplies. The advancement of agriculture, commerce, and manufactures, by all proper means, will not, I trust, need recommendation.'"

Jefferson, in his Message, p. 1403, pursues the same course:—

"To protect the manufactures adapted to our circumstances are the landmarks by which to guide ourselves in all our proceedings."

After the war of 1812, &c., he takes, if possible, higher and stronger ground. In his celebrated letter, dated January 9, 1816, he says—

"We have experienced, what we did not before believe, that there exists both profligacy and power enough to exclude us from the field of interchange with other nations, that to be independent for the comforts of life we must fabricate them ourselves. We must now place the manufacturer by the side of the agriculturist. The grand inquiry now is, shall we make our own comforts, or go without them, at the will of a foreign Power? He, therefore, who is against domestic manufactures, must be for reducing us either to a dependence upon that nation, or to be clothed in skins, and live like wild beasts in dens and caverns. I am proud to say I am not one of those. Experience has taught me that manufactures are now as necessary to our independence as to our comfort; and if those who quote me as of a different opinion will keep pace with me in purchasing nothing foreign, when an equivalent of domestic fabric can be obtained, without regard to difference of price, it will not be our fault if we do not have a supply at home equal to our demand, and wrest that weapon of distress from the hand which has so long wantonly wielded it."

In the papers from which I quoted before, there is this observation as regards the woollen manufactures; it is quoted from the report of the Senate of Pennsylvania; it is:—

"The low condition of the woollen manufactures in this country at the commencement of the late contest at arms with Great Britain, was shown by the humiliating request preferred by the Secretary of War to Congress, that existing laws might be repealed so far as to allow the importation of 6,000 blankets for the Indian department. We believed then, and believe so still, that this suggestion was made that blankets might be obtained from Great Britain for the preservation of our soldiers when raised and marched to attack the British Colony of Canada. But the law was not repealed; and it will not be regarded as a wild speculation to express an opinion, that we lost more men by the want of woollen clothing and other supplies during the war than by battle and all other fair exposures to danger that attended the military life."

I say, when we find this feeling generally pervading all the leading men of the United States—when we find their determination to be, to accept all the favour which we can give them, by the opening of our ports, while there is no disposition on their part to relax their tariff in our avour—is it, I say, under such circumstances, a wise measure to adopt a system which may issue in the risk of our Canadian Colonies? In my opinion, the result of the measure proposed by Her Majesty's Government will tend to alienate the affections of our Canadian Colonies from the mother country, and thus to deprive us of that great source of maritime wealth, and to deprive us of Colonies, the value of which cannot be sufficiently estimated. I thought it right to bring this subject before the House, although I have very much limited my remarks, and which I would not have done could I have introduced the subject at an earlier hour. I beg leave now to move—

"That an humble Address be presented to Her Majesty, praying that Her Majesty may be pleased to direct that Copies of the Governor General Earl Cathcart's Speech to the Legislative Assembly of the Canadas be laid before this House:

"Of the Despatch, or Despatches, referred to in the Governor General's Speech as having been, and of any others since addressed to Her Majesty's Secretary of State for the Colonies, remonstrating against certain presumed changes in the Imperial Commercial Policy, or conveying to Her Majesty's Government information respecting the feelings of Her Majesty's Canadian Subjects in regard to the Commercial changes now under the consideration of the Imperial Legislature:

"Of any Petition from the Quebec Board of Trade, addressed to Her Majesty's Principal Secretary of State for the Colonies, in the course of the present year, on the subject of apprehended changes in the Imperial Tariff affecting the produce of the Canadas."

To this, the original Motion of which I have given notice, I have added a few words so as to include among the Papers I require any recent information which may have been communicated to Her Majesty's Government, and which may have arisen out of the present state of affairs in our Canadian Colonies.

Mr. ROEBUCK rose to second the Motion. It could not be expected that at that hour (half-past 12 o'clock) any sufficient or complete answer could be given to the statistical speech of the noble Lord who had just sat down. He thought that, considering the manner in which the noble Lord had addressed the House, and the party opinions he had thought fit to express regarding a large portion of our colonial fellow subjects, it would have been a fairer way of dealing with the House if he had reserved his speech for the Corn Law discussion next day. If he had compressed his two speeches into one, he would have done great benefit to his own speech, and

relieved the House of one half of the discussion. In the few remarks which he (Mr. Roebuck) would address to the House, he would confine himself more to an expression of opinion than to argument. He could not help feeling somewhat surprised at the new tone assumed by the noble Lord opposite, and the party he now represented. He (Mr. Roebuck) could recollect the time when in that House the opinions of the Canadian Parliament were not thought of that weight which the noble Lord now thought fit to attach to them. He could recollect the time when there was not a minority of seven against the Government, but, positively, in a House of only eighty-eight persons, eight on the one side and eighty on the other; and yet, nevertheless, the noble Lord and the party acting with him thought fit to put aside the opinions of the people of Canada, to destroy their constitution, and rob them of what they held most dear. He alluded to Lower Canada. There was no consideration paid to their feelings and wishes at that time; and he had to ask the noble Lord how he attached so much importance to the opinions of the people of Canada? The reason was plain. [An Hon. MEMBER: Papineau.] He was speaking of the opinions of the people of Canada—the opinions of eighty representatives on one side against eight on the other—the opinions, the almost universal opinions of the people of Lower Canada. At that time, the noble Lord and those now acting with him disregarded the opinions of the people of that Colony. He recollected that, amongst the opinions of that people, which he was authorized to express to that House, was the opinion of the Lower Canadian Parliament respecting one of the branches of trade to which the noble Lord alluded—he meant the timber trade. He was then authorized to state to the House, and he did state to the House, the opinion of the representatives of the people of Lower Canada, that they had no desire for protective duties for their timber trade; and they prayed the House of Commons at once and entirely to sweep away the differential duties on timber of Europe, and that of the Canadian Colonies. He should like to know where the noble Lord had gathered the opinions of the people of Canada on this question. We had had hardly any news from that country for nearly six weeks; and now we had a small fragment of information, which had been trumpeted forth in the organs of the noble Lord's party, as if something of great importance had occurred. Upon a division taking place on the question of adjournment in the House of Assembly, it appeared that the Government were placed in a minority of seven; and it was suggested by the noble Lord that this was an expression of the opinions of the people of Canada upon the great question of corn. But he might suggest that it was only one of those party steps with which we were not wholly unacquainted. He might suppose a Ministry not altogether in favour with every party in the House—he might suppose a debate taking place; and upon some sort of personal feeling arising on one side or the other, an acute party leader getting up and leading his party to vote in direct opposition to all their former opinions. He could suppose some such thing as that; and, if he was not greatly mistaken, the fact would be found such as he had stated. He knew the reasons and opinions of the greater part of the Members of the House of Representatives; and amongst the many names mentioned in the paper to which the noble Lord alluded, he found the names of many opponents of the Administration of that country. Did the noble Lord not know that the popular Administration was put out of power by means which he was not called upon to characterize; and that the party now in power was not the popular party of the great body of the Canadian people, but the party which represented what were usually called the narrow English interests of the country—the protectionists—the party of which the leader was the Solicitor General; who had discovered that there was no patriotism except what was founded on pecuniary profit, and no loyalty but what was based on self-interest? That very party who had always pretended to such extraordinary loyalty and affection for the mother country, now, when they feared that some measure was to be adopted hurtful to their pecuniary interest, turned round, as he (Mr. Roebuck) had told them they would, and threatened them with annexation to America. It was not the people of Canada, whom they had deprived of all they held dear—it was not the Lower Canadian French population who talked of annexation to America. It was the English, Scotch, and Irish merchants who had embarked their capital in a favoured trade, supported as they believed by protective duties; and who, the moment it was proposed to do justice to the people of the country by the adoption of free trade, threatened this coun-

try with republicanism and annexation. And these were the people to whose opinions the noble Lord attached so much weight. But the noble Lord also referred to the opinion of the Governor General, and seemed exceedingly anxious to pay attention to the feelings and wishes of the noble Lord. But he recollected a time when another Governor General also expressed his opinion of the proceedings of that House towards the people of Canada, to which there was less attention paid. He was not prepared to say that Lord Cathcart was in direct opposition to Her Majesty's Government; but how came the noble Lord to assume that Lord Cathcart had expressed such opinions? If Lord Cathcart were acting in opposition to the wishes of the Government here, it was to be inferred that he would not continue in office. He was sure that the people of Canada, if they really had an opportunity of expressing their opinions, would be ready to meet the mother country on fair terms of competition. He would suggest to the noble Lord, and those who supported him, a mode of proceeding which would find favour with the colonists of Canada. Our colonial system, had cramped and crippled the commerce of our Colonies. Foreign nations could not import their produce into Canada, nor receive the produce of Canada in return, in the cheapest and most direct way. He would ask the noble Lord who now sympathized with the feelings of the colonists, whether he were prepared to give a perfect freedom of trade to them? Was the noble Lord prepared to throw over the representatives of the shipping interest who sat behind him, and incited him to speak? Were those who considered themselves the great friends of the shipping interest of this country willing to let foreign nations trade with our Colonies in foreign bottoms? ["No!"] No! Ay, that was the worth of their new sympathy with the colonists. But, throw open the trade, and the colonists would be satisfied. The noble Lord and his friends, however, were not prepared to do that. What was it the noble Lord complained of? Within the last three or four years the Government here had thought fit to pass the measure known as the Canada Corn Bill. Who were the great opponents of that measure at the time it was introduced? Why, the landed interest. There was not a man among them in that House who did not exclaim that that Bill was the first great step towards the destruction of the landed interest. They might now say what they pleased, but they well knew that at the time they were the greatest enemies of that measure. Now, which cry was it the noble Lord and his Friends meant to take up? Was it a cry for that Canadian Corn Bill, or a cry against it? They could not have two cries: at least if they wished to be regarded as being honest in their opposition. But they wanted to have both at once. They went to the hustings and denounced the right hon. Baronet as the great enemy of the landed interest for having introduced that Bill; and now they came and pretended a sympathy for the Canadians, and talked of the great advantage to be derived from the Bill. Now, he did not pretend to know more of this country than the noble Lord. He would allow that the noble Lord, in the course of the three months' attention he had given to the great questions of our policy, might, by the sort of divine instinct or intuition which he was supposed to possess, have been able to obtain information on all sorts of subjects. But as to the particular country of which they were now speaking, he had had special means of obtaining a knowledge, from long habits of intercourse with it, and from having spent there the greater part of his youth; and he would, therefore, make a suggestion to the noble Lord on a subject which seemed to have puzzled him. The noble Lord asserted that our exports to the Canadas amounted to three-eighths of our whole exports to America. It was easily explained why they seemed to bear so large a proportion. The explanation was to be found in the fact, that south of the St. Lawrence there was a nation (not an insignificant one), called the United States, and that the single State of New York touched upon that river. The noble Lord spoke of the trade with Canada as if it were an exclusively colonial trade, while it was well known to all men that the exports to which the noble Lord had referred were not so much exports to, as through, Canada. In fact, they were exports to the United States. The noble Lord argued that we were about to run the risk of losing the trade to Canada: when, in fact, our exports through Canada went to the United States to pay for certain things which we got from them; and whether it were by a direct or an indirect route made but little difference to our manufacturers. The danger apprehended by the noble Lord was a mere chimera of his own brain,

and not likely to be of consequence to any proceedings such as those contemplated by Her Majesty's Government. Our trade with British America consisted chiefly of three articles—timber, potash, and corn. What consequences did the noble Lord apprehend would follow from a free trade? Why, that the trade of Canada would be destroyed. And mark what the noble Lord said. He declared that corn would be sent at a less expense from the United States than down the river St. Lawrence; and yet, at the same moment, he talked of the expense of transhipment. Why, did the noble Lord not know that there was, past the rapids of St. Lawrence, a most noble canal, and that a vessel could, by the means of that canal, sail from Liverpool to Toronto? The most expensive part of the transit was by land, and the least expensive was by the St. Lawrence. The noble Lord might depend upon it, that if it was the interest of the merchant to bring his corn down the Erie canal, it would be the interest of this country that he should do so; and he might also be sure that when a merchant consulted his own interest in such matters, he would be consulting the interest of the nation at the same time to which he belonged; and that no legislative means by which a roundabout trade could be accomplished, would do any good to a country which proposed in such a manner to restrict the will of the merchant. The merchant took the path that led to riches, and therefore to the prosperity of the country. He could not conclude without expressing his extreme astonishment at the new class of authorities which the noble Lord had quoted. It was said that adversity brought men acquainted with strange bed-fellows, and he supposed that it was the straits into which the noble Lord's party had fallen, that had led them to take this course; but he certainly never did expect to find the noble Lord, the leader of what was now called the great aristocratic party of this country, quoting the democratic Jefferson, Madison, and Washington as authorities. As the noble Lord had begun to study them, however, he hoped he would go further. If he did, he would find much that would militate against his most cherished opinions, and the noble Lord would be led to conclusions which he would certainly regard as very dangerous, being of a democratic tendency. It was impossible to refrain from expressing astonishment at the new light which had fallen on the noble Lord. Even at that late hour he could not allow the noble Lord's statements to pass without making the few desultory remarks he had offered to the House; but if the noble Lord agreed to postpone the question, he promised the noble Lord an adequate reply.

SIR G. CLERK rose and said, that he did not oppose the Motion, as his right hon. Friend had intimated to the noble Lord ten days ago, that he had no objection to it. His sole reason in rising now, was to add to the list of papers required, and to move for the despatches of the Colonial Secretary in reply to those for which the noble Lord had moved, and which, if produced, would tend to the elucidation of the question. Among them there was a despatch from the Secretary for the Colonies upon the subject of this duty of 3*s.* a quarter on the wheat imported through Canada from the United States, which would put the House in possession of the sentiments of Her Majesty's Government on that part of the question. As the hon. and learned Member for Bath had observed, we had had no information from Canada for several weeks, and though the mail was arrived, still the Government had as yet received no official information on the subject. The noble Lord commenced his speech by stating, that the question assumed a peculiar degree of importance in consequence of the news published this morning of the signal defeat of the Government in Canada, and the "rejection of Sir Robert Peel's policy" by the Legislative Assembly of Canada; but he would find in the first place, that the question under the consideration of the Legislative Assembly was not connected with the measures proposed by the Government for the adoption of this House; and, if he looked at the evening papers of to-day, he would find that, though the adjournment was carried by a majority of seven, the news from Montreal to the 24th of April, showed that the Assembly had passed the Bill for repealing the duty of 3*s.* on wheat imported into Canada. Had the question come before the House at an earlier period of the evening, he should have entered into an examination of the statements of the noble Lord; but at this hour of the morning, and as there was no objection to produce the Papers, he would not trespass further on the attention of the House. The right hon. Gentleman concluded by moving, in addition, for the following—

"Copy of a Despatch from Mr. Secretary Glad-

stone to the Earl Cathcart, dated Downing Street, the 3rd day of March, 1846.

"Copy or Extract of a Despatch from Mr. Secretary Gladstone to the Earl Cathcart, dated Downing Street, the 3rd day of February, 1846, No. 19.

"Copy of a Despatch from Mr. Secretary Gladstone to the Earl Cathcart, dated Downing Street, the 4th day of May, 1846."

MR. H. HINDE rose to correct some misapprehensions which the hon. Member for Bath had fallen into. The hon. Gentleman forgot that, long before the introduction of the Canada Corn Bill, that Colony had a material advantage over foreign countries in respect to the trade in corn. The hon. Member said, that the Gentlemen sitting around him (Mr. Hinde) were opposed to the relaxation of the duty on Canada corn; whereas the fact was, that they were among its most strenuous supporters. True, some of them opposed the Canada Corn Bill; but that was on the ground that the passing of that measure would open a door to the smuggling of corn into Canada from the United States. He and his Friends were by no means prepared to give the Canadas free trade with all the world; and he would ask Her Majesty's Government if they were prepared to do so? They had a right to know what were the sentiments of the Government with regard to the colonial system and the colonial policy of the country. And he hoped the House would compel the Government to answer this question—"What did they mean to do with the Colonies?" What did they expect to result from their present measures as far as the poor Colonies were concerned? And what did they think would be the value of those Colonies? The hon. Member for Bath said, "It is true our exports to Canada are very large, but Canada is only the means by which we introduce these exports into the United States." He (Mr. Hinde) did not care one farthing what became of our exports, so that we had Canada as the means either of consuming them herself, or of introducing them to the States. But what would become of this trade for our exports, if the measures of the Government had the effect of depriving Canada and ourselves of the means of introducing them into the United States? He begged the House and the Government, therefore, to pause and consider the effect which their measures were likely to have on the Canadas and our Colonies generally. Her Majesty's Government had boasted, and they certainly had some ground for the boast, that they had the support of the shipping interest; but he was much mistaken if the right hon. Gentleman (Sir G. Clerk) did not find that those accounts, of which he had spoken, struck dismay into the shipowners of the United Kingdom.

The Motion agreed to, with the addition proposed by Sir G. Clerk.

House adjourned at half-past One o'clock.

HOUSE OF LORDS,

Friday, May 15, 1846.

MINUTES.] PUBLIC BILLS.—2ª. Insolvent Debtors Act Amendment.

Reported. Religious Opinions Relief.

PETITIONS PRESENTED. By the Duke of Cambridge, and several other noble Lords, from a great number of places, against the Charitable Trusts Bill.—By the Bishop of St. David's, from Clergy of the Archdeaconry of Brecon, against the proposed Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester. — By Lord Campbell, from the Lord Provost, Magistrates, and Council of Edinburgh, for a Measure to give Relief to Persons having conscientious Objections to attend the Established Church, with respect to the Granting of Sites for Churches, Manses, or Schools.—By Lord Beaumont, from Algarkirke, and several other places, in favour of the Corn Laws.—By the Marquess of Clanricarde, from Bankers, Merchants, and Citizens of Dublin, for the Advancement of Money for the carrying on of Public Works in Ireland.—From Guardians of the Honiton Union, for Repeal of the Law of Settlement, so far as it is referable to the English Pauper.

CLERKS OF THE CROWN (IRELAND).

The MARQUESS of CLANRICARDE rose for the purpose of calling the attention of their Lordships to the subject of a Motion of which he had given notice a few nights ago, in reference to the filling up of recently created vacancies in the office of Clerk of the Crown for counties in Ireland. It was with the greatest diffidence that he felt called upon to make any observations which could have the slightest appearance of anything like an attack upon Lord Heytesbury, who was at present the Lord Lieutenant of Ireland; for he had reason to believe that Lord Heytesbury was sincerely desirous to act in a manner that would conduce to the benefit of that country; but the misfortune attending the present anomalous and absurd system of government in Ireland was, that it prevented the good intentions of the Lord Lieutenant from being carried into effect. The Lord Lieutenant was generally a person who had no connexion with the country, and no previous knowledge of it: the Chief Secretary was in the same condition very often; and thus neither the Lord Lieutenant nor the Secretary was acquainted with the personal qualities or political leanings of those by whom they were surrounded, and whose advice they must fre-

quently be expected to require. Their Lordships were aware that, in consequence of the decease recently of a gentleman named Pollock, in Ireland, the clerkship of the Crown in no less than fifteen counties had become vacant. That office had been the subject of much discussion on a former occasion, and had been made the question in a suit before their Lordships; and it was not, therefore, his intention to go into any inquiry as to its origin or establishment, as that had been fully investigated when it was before their Lordships; but it was sufficient for him to say that, in 1819, Mr. Pollock was in possession of the two offices of clerk of the Crown and clerk of the peace for several counties. The question as to the person in whom the appointment of clerk of the peace was vested had been made the subject of a legal investigation, upon the appointment, at a former period, of a clerk of the peace for the King's County by the Custos Rotulorum of that county. The case was brought, by writ of error, before the Judges in Dublin; and they, with the exception of two, decided that the right of appointment to the clerk of the peace vested with the Crown; but the matter having been brought before the House of Lords, they called in the assistance of the Judges; and those learned personages, with the exception of one, agreed upon reversing the decision of the Irish Judges; and their Lordships accordingly decided that the appointment to the clerkship of the peace lay with the Custos Rotulorum in Ireland, and was not in the gift of the Crown. The Irish Government entertained several years ago the intention of uniting the offices of clerks of the peace and clerks of the Crown; and a Commission of Inquiry into the Courts of Justice in Ireland, which sat in 1829, evidently was favourable to the union of the two offices: but it stated in its report, that as the case was then still pending, it did not feel necessary to report specially upon the union of the offices. The writer of the report, however, with the exception of being restrained by that circumstance, was favourable to the junction of those offices. The Report of the Commission over which Lord Devon presided, and which had been so frequently adduced by Members of the Government, stated that the union of the offices of clerk of the Crown and clerk of the peace had been recommended in the Report of 1842; and added that the members of that Commission were of a similar opinion, namely, that they should be united. The Commission, which was appointed in 1840, and reported in 1842 (a Commission to revise the Grand Jury Laws of Ireland), stated that the duties of the clerk of the peace and the clerk of the Crown were, in several counties, fulfilled by the same person, without any inconvenience; and they added that, in their opinion, the duties ought not to be divided, as the separation of those duties only caused additional expense; and they, therefore, approved of the principle of transferring the duties of clerk of the Crown to the clerk of the peace. Who was that Report signed by? It was signed, amongst others, by Richard Greene, the present Attorney General for Ireland; and it was, therefore, only natural to expect that the Government would adopt the recommendation in the Report, and that the Irish Government would be induced to merge the two offices into one. Some assurance of the intention of the Government with respect to that question ought to be given. But what was the fact? On the demise of Mr. Pollock, a mass of applications were sent in to the Government—a mass so numerous as to number several hundreds—for the vacant clerkships. This pressure from without appeared to have been too strong for the Government to resist; and within a week after Mr. Pollock's demise, it was well known in Ireland who were to succeed in filling the vacancies in ten of the counties. When Mr. Pierce Gale, who was Crown Solicitor for one of the provinces of Ireland, died, it was deemed by the Government that one person ought not to hold the office of Crown Solicitor in a whole province; and three persons were appointed to discharge the duties which one had discharged before. In that case, however, the change which took place gave the Government three appointments instead of one; but in this latter case, the recommendation of the Commission, if carried into effect, would have a contrary tendency. The Gentleman who was appointed in 1818, by Mr. Pollock, as his deputy clerk of the Crown in four counties and the city of Kilkenny, and who had since that period held the office, and had given up much other business, it was to be supposed, in order to attend to its duties, was, on the death of Mr. Pollock, deprived of those appointments, and without the slightest compensation for the loss of his offices. He was not aware what were the abilities of the gentleman who was so deprived of his appointments; but he knew that he had received three recom-

mendations for the appointment from the county of Kilkenny, three from Wexford, two from the city of Kilkenny, and two from other places. He would say, that under all those circumstances there ought to be some explanation of why that gentleman had been passed over. It might be said, that his appointment would not be allowed to stand in the way of future arrangements; but he begged to be informed on what grounds the future arrangements were to be based. When the alteration in the arrangement of those offices had been so long spoken of, he thought that the public ought to be informed what were the intentions of the Government with respect to the future appointments, and on what grounds they intended to proceed. He hoped that his noble Friend opposite (the Earl of St. Germans) would not only tell them what were the proposed arrangements, but also why the Reports to which he had directed attention, and which were so clear and distinct, had not been acted upon. The noble Marquess moved for the Returns of which he gave notice on a former day.

The EARL of ST. GERMANS said, he agreed with the noble Marquess opposite in thinking that the Government was bound to pay respectful attention to, and seriously to consider, all the recommendations contained in those Reports to which the noble Marquess adverted; but he did not think that the Government, whatever might be its own opinions, was implicitly bound to act in accordance with those recommendations of one of the last Commissions? That the clerkship of the Crown should be merged in the office of clerk of the peace; and the Commission of Lord Devon recommended that the individual holding those united offices should also be appointed Crown prosecutor. Now, he would appeal to any one acquainted with the practical operation of the law to say, would this recommendation, if carried into effect, be convenient or even constitutional? The clerk of the Crown and of assize would have to prepare indictments, to record challenges, and to perform various other functions peculiar to an officer of the court; and, he would ask, were the duties of those offices consistent with the duty of Crown prosecutor? They were not consistent or compatible. The Commission of 1840 recommended that the clerkship of the Crown should merge in the office of clerk of the peace. That recommendation was merely on the ground of economy; and he (the Earl of St. Germans) could inform their Lordships that the saving would be very small in amount, and that it would be necessary to appoint deputies if such a consolidation took place with respect to those appointments, He thought they ought to lie in the Crown, and not in an irresponsible individual; and he would add, that fourteen of the persons appointed under the system of allowing the appointment to lie with the Custos Rotulorum, were persons not educated for the profession of the law, and one of them had been a captain in the army. The Custos Rotulorum might be irresponsible to Parliament; but he (the Earl of St. Germans) believed that it would be better for the public service and the public interest that the appointment to the office of clerk of the peace should belong to the Crown. There was an arrangement proposed by the Government for the consolidation of the offices by a Bill; but that was to take effect only, in each case, after the decease of the custodee and the holders of the offices who were previously appointed; and he could assure the noble Marquess that this arrangement did not depend on a mere verbal agreement, but that an agreement in writing had been sent to the clerks of the peace and the Crown, appointed since that determination had been come to, by which agreement they bound themselves to consent to any arrangement to be proposed in future for the better regulation of those offices. With regard to the particular case of the gentleman who had acted as Mr. Pollock's deputy, he did not think that the fact of his having acted as deputy-clerk of the Crown gave him a right to retain the employment permanently.

The MARQUESS of LONDONDERRY was obliged to the noble Marquess for having brought this subject under discussion. He conceived it to be of the utmost importance that the House should know whether the appointment of clerk of the peace was to remain in the hands of the Custos Rotulorum, or whether it rested with the Crown.

The EARL of ST. GERMANS explained that it was intended to respect the rights of existing Custodes, and of existing clerks.

The DUKE of LEINSTER thought it very advisable that the appointment should be in the hands of the Crown.

LORD BROUGHAM saw no reason for not at once transferring the right of appointment to clerkships of the peace from

the Custodes to the Crown. The Custodes themselves were liable to be removed; and, certainly, the sooner the right of appointment was transferred to the responsible officer of the Crown the better.

The EARL of WICKLOW was perfectly satisfied with the explanation which had been given by his noble Friend. When the Government took the matter into their own hands, he thought it would be desirable that the two offices of clerk of the peace and clerk of the Crown should be amalgamated.

The MARQUESS of CLANRICARDE agreed with the noble Lord near him, that it was desirable to vest these appointments in the hands of the Crown; and he himself, as an existing Custos, was quite ready to give up his right.

Motion agreed to.

RELIGIOUS OPINIONS RELIEF BILL.

On the Order of the Day being moved for going into Committee on this Bill,

The BISHOP of EXETER said, before going into Committee, he begged to put a question to the noble and learned Lord on the Woolsack, and to the other noble and learned Lords who were so obliging as to give him their opinions on the questions he had moved on a former evening should be proposed to the Judges. He was quite sure that those noble and learned Lords would be anxious to give satisfaction even to the humble individual who now appealed to them upon a point respecting which he ventured, with extreme diffidence, to entertain some doubt as to the accuracy of the opinions they had given; and if upon reconsideration of the questions, upon the grounds which he should now put to them, they reaffirmed those opinions unanimously, and the noble and learned Lord (Lord Cottenham), whom he was rejoiced to see in his place, but who was not in his place on the former evening, concurred with them, then he should certainly give those noble and learned Lords and the House no further trouble on the subject. But he was quite sure that, from the candour of those noble and learned Lords, they would permit him to state frankly the doubt he entertained as to the accuracy of their opinions. One of the questions he presumed to move should be proposed to the Judges was this:—

"1. Whether, independently of so much of the Act passed in the first year of the reign of Queen Elizabeth, entitled, 'An Act restoring to the Crown the ancient Jurisdiction over the Estate, Ecclesiastical and Spiritual, and abolishing all foreign powers repugnant to the same,' as makes it punishable to affirm, hold, stand with, set forth, maintain, or defend, as therein is mentioned, the authority, pre-eminence, power, or jurisdiction, spiritual or ecclesiastical, of any foreign Prince, Prelate, person, State, or Potentate, theretofore claimed, used, or usurped within this realm, or to put in use, or execute anything for the extolling, advancement, setting forth, maintenance, or defence of any such pretended or usurped jurisdiction, power, pre-eminence, and authority, or any part thereof, and of an Act passed in the fifth year of the said Queen, entitled, 'An Act for the Assurance of the Queen's Royal Power over all Estates and Subjects within Her Dominions,' it is an offence against the law of England, and punishable by the same, by writing, printing, teaching, preaching, express words, deed, or act, advisedly and maliciously, to deny the Queen's supremacy, or to affirm, maintain, and defend any such pretended or usurped power, jurisdiction, or authority of the Pope, or any other foreign Prince, Prelate, person, State, or Potentate within this realm?"

That was the question, and he understood the noble and learned Lords, unanimously and most clearly and distinctly to say, that to affirm, maintain, and defend any such pretended or usurped power, independently of that part of the Statute *per se*, and not aggravated by any special *malus animus*—he said special *malus animus*, because he apprehended that the law implied a *malus animus* in doing it—was not contrary to law. He believed he was right in stating that that was the opinion unanimously expressed by the noble and learned Lords. [*A pause.*] He might venture to take the silence of the noble and learned Lords as their assent that it was so. Now, he would briefly state to them, with sincere diffidence, the two grounds upon which he ventured to submit again to their consideration—not expressing any opinion of his own, though he frankly admitted that the subject had made a strong impression on his mind, and that he did hold a strong opinion upon it—the accuracy of—

The LORD CHANCELLOR begged to call the right rev. Prelate to order. There was no question before the House. If the right rev. Prelate had intended to call in question the correctness of the opinion given by himself (the Lord Chancellor) and the other noble and learned Lords, it would have been proper for him to have persevered in his Motion. At all events, if he intended to raise the question a second time in that House, he ought to have given notice of his intention to do so, in order that he (the Lord Chancellor) might have requested his noble and learned Friend the Lord Chief Justice to be in his place, as well as another noble and learned Lord who was not then in his place. He

conceived that the right rev. Prelate was most irregular.

The BISHOP of EXETER said, his conduct might be irregular; but he was most anxious to put himself right with their Lordships as to the facts before he went into the question. He told the noble and learned Lord on the Woolsack, and also his noble and learned Friend on the bench opposite, what he was going to do; and he heard from the noble and learned Lord on the Woolsack no objection that was likely to be made by him; whilst from the noble and learned Lord opposite, he had positive approbation of the course he was going to take.

The LORD CHANCELLOR said, that the right rev. Prelate had certainly stated to him that he meant again to renew the question; but the right rev. Prelate never stated to him that he meant to argue it; and he did not interrupt the right rev. Prelate until he heard that the right rev. Prelate had two or three potent reasons to urge against the opinions given by himself and his noble and learned Friends.

LORD BROUGHAM said, he only understood the right rev. Prelate to say, that he meant to ask him (Lord Brougham) and his noble and learned Friends to explain the opinions they had given.

The Order of the Day was then read for going into Committee, upon which

The BISHOP of EXETER said, it now became his painful duty to state the reasons which compelled him to resist the Motion of the noble and learned Lord on the Woolsack to go into Committee on this Bill; and perhaps it would be as well that he should in the very outset state the reasons in law which made him doubt the accuracy of the opinions given by the noble and learned Lords; and he was the more disposed to take that course, because he thought it was in itself a strong reason against going into Committee; for he ventured to think that if they were left, as the noble and learned Lords had told them they were, in such a state as that to affirm, maintain, and assert a foreign jurisdiction, superiority, and pre-eminence, in this realm—if they were left distinctly without any protection whatever against such an offence—if the clauses in this Bill were not struck out, then it was a strong reason why they should well consider the nature of that important point before they allowed it to become the law of the country. The noble and learned Lords said, that it was not an offence *per se simpliciter* to affirm a foreign jurisdiction in this realm. He (the Bishop of Exeter) differed from the noble and learned Lords in their opinion. He would state to those noble and learned Lords why he thought it was an offence. Their Lordships would permit him to refer them to the clause in that important Statute of the 1st of Elizabeth—he meant Clause 16, which was as follows:—

"And to the intent that all usurped and foreign power and authority, spiritual and temporal, may for ever be clearly extinguished, and never to be used or obeyed within this realm, or any other your Majesty's dominions or countries, may it please your Highness that it may be further enacted by the authority aforesaid, that no foreign prince, person, prelate, state, or potentate, spiritual and temporal, shall at any time after the last day of this Session of Parliament use, enjoy, or exercise any manner of power jurisdiction, superiority, authority, pre-eminence, or privilege, spiritual er ecclesiastical—"

Their Lordships would perceive the very great protection given by that Statute. It said that they should not exercise any manner of power whatever. Be that power innocent as it might, in the contemplation of any man, yet it was not to be exercised, because the jurisdiction was foreign. The clause continued—

"Within this realm, or within any other your Majesty's dominions or countries that now be, or hereafter shall be; but from thenceforth the same shall be clearly abolished out of this realm, and all other your Highness's dominions for ever; any statute, ordinance, custom, constitutions, or any matter or cause whatsoever to the contrary in any wise notwithstanding."

Now, their Lordships would see that that Statute positively enacted that all manner of foreign jurisdiction should be extinguished for ever—for ever abolished. Why, then, he contended, with all deference and submission to the opinions of those noble and learned Lords, that for any person to set forth, maintain, and affirm in any manner (he adopted the words of the Statute) any foreign jurisdiction, power, pre-eminence, or authority within this realm, was contrary to that Act of Parliament, and, being contrary to the Act of Parliament, was, by the common law of the land, a misdemeanour. That was one of the grounds upon which he ventured to submit again to those noble and learned Lords the opinions they had given the other night. But there was still another reason, and one more powerful, as he thought, which operated on his mind. Every subject of this realm was bound, when it was tendered to him, to take the Oath of Supremacy; and what did that oath assert? It asserted in the strongest

way that no foreign prince, prelate, State, or potentate, hath or ought to have any jurisdiction, power, or pre-eminence within this realm. Then, if any person could assert the contrary, in defiance of the oath he was bound to take—in defiance of the words of one of the most constitutional statutes, without its being an offence, the law was, he submitted, a much more unintelligible thing than they had been in the habit of considering it. But he called upon the noble and learned Lords to state their opinions upon that point; and if he were wrong, those noble and learned Lords would presently show him his error. He was no lawyer, and knew no more of law than all moderately well-educated men were bound to know: he had frankly stated his views to their Lordships at the hazard of being ridiculed on account of them. He should not be ashamed if he were taunted for holding an opinion contrary to those noble and learned Lords; but he should be ashamed if, having the strong feelings which he had upon this most important subject, he was deterred by any consideration of selfish feelings, or reputation, or any other concern whatever, from giving to this Motion his most strenuous opposition, and adducing every argument he could honestly adduce in support of his own opinion. If he were right in that opinion, then, perhaps, the noble and learned Lords would be glad to find themselves mistaken, for they would all probably be quite satisfied as to that part of the subject if the simple punishment of a misdemeanour were retained. He, for one, should rejoice to see the penalties of a premunire struck out of the Statute-book; and all he wanted was that this grave offence against the Constitution of this Protestant land should be properly punishable as a misdemeanour. Holding then the opinion he did, if he had no other objection, he should at once have objected to the Motion of the noble and learned Lord; but he had a grave objection of another kind, an objection which he wished to hear stated with the same force and ability as he heard it stated a few nights ago, and followed by a vote, which would seem to be demanded by the expression of that opinion. He referred to the powerful statement by a noble and learned Lord (Lord Campbell) the other night of the extreme unfairness of the noble and learned Lord on the Woolsack, in introducing a measure of this kind without telling their Lordships the whole of it. When the noble and learned Lord introduced it, he wrapped himself up in a dignified obscurity. He refused to give any explanation whatever, or any hope that in the course of that night's debate we would give them any assistance in guessing what his intention might be. The noble and learned Lord, when he introduced the Bill, told them that it had been founded upon a Report of the Commissioners on Criminal Law, and that it had been prepared upon their recommendation. Now, it was remarkable that the learned Commissioners included in their recommendation the absolute abolition of the existing Oath of Supremacy; that oath which their Lordships had taken—which every subject in this realm, except Roman Catholics, was bound to take. Those learned Commissioners, in their recommendation, and in the Bill which they drew up in compliance with the Commission from the Crown, part of which Bill was now brought before their Lordships, proposed the abolition of the oath declaring the Royal supremacy in spiritual matters. The oath they proposed absolutely extinguished all assertion of any spiritual supremacy of the Crown. He could scarcely believe it until he looked to their Bill, and found that they proposed a new oath in lieu of the existing one, and it was as follows:—"I, A., B., do swear that I will be faithful and bear true allegiance to Her Majesty Queen Victoria, and will maintain the succession of the Crown as established by Act of Parliament, intituled "An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject,' and that I do not believe,"—not, as by the existing oath, "that the Pope, or any foreign prince, prelate, State, or potentate, has or ought to have any spiritual or ecclesiastical jurisdiction,"—for these were the words of the existing oath, as their Lordships well knew, for they had repeatedly sworn it in that House, and they believed that it was essential to the constitution of this land, and to the supremacy of the Sovereign, that they should so swear; but, it was now to be—"has or ought to have any temporal or civil jurisdiction or power within this realm." That, he said, was a most enormous innovation. He did not believe that the noble and learned Lord would adopt that innovation. He did not believe that in the face of their Lordships, if the noble and learned Lord could wish it, he would dare to propose it. He was still confident that they would hear

from the noble and learned Lord, although he had been silent hitherto, a positive declaration of his intention not, in the part of the measure he had yet withheld from their Lordships, to substitute that monstrous proposition of those learned persons. Permit him to say that the existing oath was one of the most stringent character. It was an oath affirming the sole independent monarchy of the Sovereign of England. If they abandoned that oath, they abandoned their Constitution; and how had their forefathers enforced that oath? By making it an absolute condition that all men who bore any part in the Legislature of this country should swear not only that the Pope, or any foreign prince, prelate, or potentate had not any such jurisdiction, but that they ought not to have any. They took the security that no man should enter within the walls of that or the other House of Parliament, until he was made to give the country the security of knowing that he was convinced in his conscience—and he called God to witness to the sincerity of his conviction—that the Pope ought not to have any jurisdiction in this country. Then he said it was impossible for their Lordships to concur in anything like a plan for striking out the existing oath from the Statute-book. He repeated his hope that the noble and learned Lord would give them some relief upon this subject, which he should think more necessary but for the confidence he had in the constitutional attachment of the noble and learned Lord to the monarchy. There was an absolute necessity that they should know the whole case; and he was confident that he should have the support of the noble and learned Lord opposite in the Motion which he should now make—"that they should go into Committee on this Bill that day three months." They ought to weigh well what they were doing, and to consider fully the importance of the measure before them. For himself, he could not see that it was consistent with the oath he had taken, that the Pope ought not to have any jurisdiction, pre-eminence, or authority within this realm, to give him by law any such authority. He had the opinion of the noble and learned Lord delivered on a former occasion as to the danger to arise from this relaxation; and he had an equally high authority in the law and practice of every State in Europe, including every Catholic State. Those countries knew by experience how formidable indeed was the power of the Pope unless it were strictly restrained. He did not ask for a new law; but he insisted on retaining—for they had it already—a law which would give them security—a law, too, which was not inconsistent with the free exercise of the Roman Catholic religion. He could show this by reminding their Lordships, and referring to the Report of 1816, of the rule in France; there it was one of the first maxims that the Pope had no authority to issue any commands, ordinances, or injunctions, general or special, in any country subject to His Most Christian Majesty. It was true that our Christian Sovereign was looked upon by the Pope as a heretic. He would not retort the term, for he would never unnecessarily use a term which would shock the feelings of any of their Lordships; but if the King of France, who professed the Roman Catholic faith, declared that nothing should be done without his consent within his dominions by the Pope, he did not see why, in other countries, the Pope should not be prevented from having the power of sending in his mandates. He was aware that many communications might be necessary to give the privilege of free communion with the See of Rome. He knew not how those communications were carried on; but the law of the land was content to let it rest so, without any inquiry into the mischief, so long as it was not forced upon public attention by the promulgation of the Pope's law. He hoped there would never be a desire to look too closely into these small matters for the purpose of enforcing the law; but at the same time he claimed the right of appealing to the Constitution of the land, if any grievance were felt. That the Legislature should be so forgetful of the oath in conformity with which they were permitted to be a Legislature, he would not contemplate; and he hoped the issue would not be forced on by men whom he had hitherto regarded with great respect for their private character, and whom he had the honour to know in private, especially his noble and learned Friend, and for whom he entertained the most respectful attachment. He hoped that day would never come; but, he asked, why was this danger incurred? Was there any complaint, or even any actual grievance? No such thing. But, they were told that this was an ugly and disagreeable Statute, and that the Statute-book ought to be amended to meet the refined and delicate feeling of the present day; but he hoped their Lordships would adhere to the rugged enactments of their forefathers,

and would not fritter away the spirit of the Constitution. In the *Catholic Directory* for 1842, which was, he supposed, in the hands of every Roman Catholic who could read, the present Pope claimed a power in other countries, as well as in the Roman State, or some one put forth the claim for him. In 1841 it appeared that he sent forth an allocution, or an address, in his secret consistory, which was afterwards published, and he also published a jubilee, giving plenary indulgence to all who should concur in the views of the allocution. The Spanish Government had thought fit to lay their hands, as he hoped their Lordships or the other House would never do, on the possessions of the Church. That the Pope should be sorry for this, and that he should express his regret, was but natural; but he complained, and from complaint he went to threats, and he asserted a positive power, and declared that all the Spanish Government had done was null and void. He condemned all who had assisted in those acts, and all the Government had done, or attempted to do, against the Church, and declared that all their acts were null and void, both past and future. This was an interference, on the part of the Pope, inconsistent with the notion that he had no authority nor power in this country; and if their Lordships passed the present Bill in all its clauses the Pope's law would be put forward as a law to be observed in the dominions of Her Majesty. This he ventured to characterize as a frightful instance of the danger which threatened if this measure passed. But this was not all. There were other facts on record which proved the danger. It appeared that some laymen had maintained their right to certain ecclesiastical property, the disposition of which was claimed by the Bishop of Heliopolis. The laymen appealed to the civil magistrates, who decided in their favour. The Bishop appealed to the Pope, and he (the Bishop of Exeter) would read the Pope's letter. The right rev. Prelate read this letter, which solemnly declared, by the apostolical authority of the holy see, that heretical magistrates had violated and trampled under foot the liberties and spiritual power of the Church. They were declared guilty of the most manifest audacity, and warned to remember the censure and spiritual punishment which they had, *ipso facto*, incurred. This was a pretty strong assertion of Papal power. And where was it made? In Italy? No. In France? No. In Prussia? No. In Russia? No. It was made in the dominions of Her Majesty the Queen of the United Kingdoms, viz., in Gibraltar. And when was it made? Why, since the noble and learned Lord had held the office of Lord Chancellor, and since Her Majesty's Government had been in power. He must be permitted to ask who were the parties who were thus denounced as having committed this injustice, as having dared to trample upon the sacred rights of the Church, and whose decree the Pope had thought fit to declare absolutely null and void? The noble and learned Lord on the Woolsack knew; for the case had come by appeal before the Judicial Committee of Her Majesty's Privy Council, which had decided in favour of the laymen. So that even against the decision of the ultimate court of appeal in this country, the Pope had dared to raise his voice and assert his power. The case thus assumed a most frightful appearance; for it showed that we should have the assertion of his spiritual supremacy made on all hands. There were other reasons than these why he should oppose the Bill; but for those he had mentioned he felt it his bounden duty to resist the proposition for going into Committee; and in order to enable their Lordships to affirm with him that it was not a Bill to be entertained, he should conclude with the Motion of which he had given notice. He would further say, it would not be enough to tell their Lordships that it was intended to give them something by way of security. If it was intended to give any real security, that real security ought to precede the surrender of their present laws. If they were such idiots and traitors to their country as to give up the security for the Protestant Constitution of this land upon a bare promise that they should afterwards hear of something else, they would deserve, as they would meet, the contempt of their countrymen and reproach of their own consciences.

The LORD CHANCELLOR said, his right rev. Friend began his address by assigning two reasons for the purpose of leading their Lordships to the conclusion that his noble and learned Friends and himself had erred in the opinions which they had given in answer to his questions. The first reason he had given, and which was the principal one, was that every person was bound to take the oath of supremacy upon that oath being tendered. With

regard to that reason, he (the Lord Chancellor) begged leave to state to his right rev. Friend that he was quite misinformed upon the subject, and that he had not taken those pains which were usual with him to make himself acquainted with the state of the statute law, as far as related to that question. Certainly, formerly, by various acts of Parliament, upon the oath of supremacy being tendered in the manner described by those Acts, parties to whom it was tendered were bound to take it under severe penalties. But his right rev. Friend ought to have known that so far back as 1791 an Act of Parliament was passed for the relief of Roman Catholics, in which there was a distinct clause annulling the law in this respect, which had before provided that any party should be bound to take the oath upon its being tendered. That was considered a harsh proceeding, and the Legislature thought proper to repeal it.

The BISHOP of EXETER: What is the statute?

The LORD CHANCELLOR said, the Act was the 31st Geo. III., cap. 32. The precise section the right rev. Prelate could hardly call upon him to mention by memory without having given him notice; but before the close of the debate he would undertake to point out to him the particular clause to which he was referring. So much, then, for that which his right rev. Friend described as the strongest part of his argument for the purpose of leading their Lordships to the conclusion that himself and his noble and learned Friends were mistaken in their opinions. Then the other part of his right rev. Friend's argument arose out of a certain clause in the Statute of Elizabeth. But when the right rev. Prelate argued upon this clause, he forgot the legislation since the passing of that Act, and that in the construction of any Act of Parliament you must take into consideration everything that had been passed since. Now, it was quite impossible for a moment to contend, after the various Acts that had been passed with reference to the Roman Catholic religion, after the facilities given for the performance of the duties of that religion, and, above all, that material alteration in the oath of supremacy in favour of the Roman Catholics, and in the permission of their principles — it was quite impossible, he said, for any person to maintain that a Roman Catholic moderately and temperately maintaining the supremacy of the Pope in ecclesiastical matters, could be considered as offending against the laws of this country. So much with regard to that part of the case, and the charge made against himself and his noble and learned Friends as to the opinions they had expressed upon a former occasion. He really must say that, if the right rev. Prelate questioned the accuracy of those opinions, he ought to have insisted upon the attendance of the learned Judges before their Lordships, to deliver their views of the question at issue. And he must repeat what he had before said, that he thought his right rev. Friend had not acted very fairly in not giving them notice of his intention to controvert those opinions, in order that they might have had the great advantage of the attendance of the Chief Justice of England on this occasion, who, when the question was formerly before the House, had expressed his views with so much force and precision in support of the views which he (the Lord Chancellor) had taken the liberty of stating to their Lordships. His right rev. Friend had adverted to the Report of the Commissioners, and said it was the most extraordinary step ever taken to call upon Commissioners to prepare a Bill to be laid upon the Table of Parliament. His right rev. Friend entirely misapprehended the subject, the reference to the Commissioners. They were requested to prepare a Bill for the consideration of Her Majesty's Government: the Commissioners, in pursuance of their directions, prepared a Bill; that Bill was laid upon the Table of their Lordships' House, not by the Commissioners, or by any persons acting under their advice or direction—it was submitted in confidence to Her Majesty's Government. What was the intention when authority was given to the Commissioners to prepare a Bill? It was that, when the Bill was prepared, it should be submitted to Her Majesty's Government, who might exercise their judgment and consideration upon it; and if they thought right to adopt it *in extenso*, that it might be introduced into their Lordships' House. When they came to consider the subject, they did not think proper to propose the Bill in its then shape; in the first instance they adopted a part only, and the result was the measure now before the House. He (the Lord Chancellor) was responsible for the advice which he gave. He had said he had no doubt that as related to a particular class it was a wise measure, and he thought it should be adopted by Parliament. But then his

right rev. Friend said, "There is something behind this Bill, you are going to do something behind this Bill, you are going to do something further, you have involved yourselves in obscurity, you will not give satisfactory answers to anything that is said upon the subject, you are going to take away our constitutional defences." He (the Lord Chancellor) had over and over again said that until this Bill passed he would not touch the subject of oaths. He had not wrapped himself in obscurity upon this subject. He thought it far better in the first instance that their Lordships should consider this Bill as it stood upon its merits, in order that it might be first passed. If the oaths remained as they now were, he conceived this measure ought to pass; he did not conceive an alteration in them would affect the passing of this measure, or render it less advisable that it should pass. But what would their Lordships think of the charge of obscurity made by the right rev. Prelate, when he stated that he had himself told the right rev. Prelate, no further back than the last time their Lordships assembled, that he had no intention to propose an alteration in any of the oaths? He told the right rev. Prelate he did not intend to alter the oath of supremacy, that he did not intend to alter the oath of allegiance. The only point upon which any doubt might remain was the oath of abjuration; but an alteration would have been perfectly harmless, because it would only have arisen from the circumstance that as there was no descendant of the body of James the Second in existence, there was a part of that oath altogether superfluous. Was there any obscurity in this? Had he involved himself in those clouds to which the right rev. Prelate so eloquently referred? Nothing, he thought, could be more distinct than the statement he had made. Having proceeded thus far, he might say that no person more admired than he did the eloquent and feeling manner in which his right rev. Friend always addressed the House upon subjects of this nature; and he concurred in the opinions which the right rev. Prelate had maintained with regard to papal usurpation, and the insolent assumption of authority in every country. He had so expressed himself in very strong terms on a former occasion—so strong, indeed, as to call down the indignation of a noble Lord sitting at that side of the House. He had not, however, expressed himself stronger than the occasion warranted; and he subscribed entirely to the opinions of his right rev. Friend. He could not certainly hope to rival him in eloquence; otherwise, if he could ascend to the same height, he might have followed him in the same train of observation—provided the occasion called for it. But as he could not hope to rival his right rev. Friend in eloquence, he would refer to the only point now before the House. Their Lordships had acceded to the second reading of a Bill which repealed thirty Acts or parts of Acts. When he opened the Bill to their Lordships, he stated that the case was of such a nature that it was impossible any man of common understanding, or common feeling, could doubt the propriety of repealing a great number of those Acts. So much was this felt that the right rev. Prelate, in that night's debate, observing upon the observations which he (the Lord Chancellor) had made, said he had thrown away his efforts, and not directed attention to the strong points of the case, but had lavished a great deal of power upon the part of the case which did not admit of doubt or dispute. He had therefore the admission of the right rev. Prelate himself that many of the Acts contained in the Bill ought to be repealed, if they had regard to the principles upon which right legislation ought to be conducted. It was unnecessary for him to recall attention to the particular instances to which he then referred; but he would mention two. If any person professing the Roman Catholic religion in Ireland maintained the spiritual or ecclesiastical authority of the Pope, he was liable for the third offence to be tried for high treason. But although the Legislature of the United Kingdom had since sanctioned those opinions, the persons professing them, for doing that which their religion prescribed, were liable, for the first offence, to imprisonment for life, for the second to the great penalties of premunire, and for the third offence to trial for high treason. Was that a law which ought to remain upon the Statute Book? [The Bishop of EXETER: This law was repealed two years ago.] Before interrupting him, the right rev. Prelate should have been assured that he was quite correct in his assertion. As far as related to England, two of those severe penalties had been repealed two years ago; but so far as related to Ireland they were all in force. The Bill now upon their Lordships' Table repealed the Irish part of the Act, and it repealed all that remained of the English. He would give give only one more instance to show how

absolutely necessary it was that they should consent to the second reading of the Bill, and go into Committee, notwithstanding the eloquence of the right rev. Prelate. The law as it stood enacted, that if any person was reconciled to the See of Rome, or persuaded another to be reconciled, he was guilty of offence to which the penalties of premunire attached, imprisonment for life, forfeiture of all his property, and to be put out of the pale and protection of law. He gave these as two samples out of the thirty Acts and parts of Acts which it was the object of the present Bill to repeal. Having consented to the second reading of the Bill, whatever opinion their Lordships might entertain as to the clause respecting the supremacy, or respecting bulls from the see of Rome, even if they concurred in every word the right rev. Prelate had said, how was it possible they could refuse to go into Committee? Was it not throwing away so much eloquence on the part of the right rev. Prelate, to come down in the way he had for the purpose of showing up the power of the Pope and his insolent assumption of authority, to induce their Lordships to forget what was the real question before the House, and the narrow contracted question to which he had called attention? He (the Lord Chancellor) thought he had said enough to induce their Lordships, unanimously he believed—for perhaps his right rev. Friend would be a convert—to oppose the Motion.

The BISHOP of ST. DAVID'S wished to make a few remarks upon this question, as circumstances had prevented him from attending in his place upon the second reading. He was anxious to take that opportunity to address their Lordships, because he did think that this measure had not been met on the part of the right rev. Prelates sitting in that part of their Lordships' House in a manner that he, as one of them, would have anticipated or wished. He should say that he believed the impression had gone forth to the country that this measure, taken as a whole, had drawn forth indications of repugnance, of aversion, of distrust, and of alarm—or at all events, of anything but an indication of a favourable reception, or of the good wishes of the bench of Bishops. Now, he thought that this was a measure which ought to be received, more particularly in that part of the House, in a very different manner—that it was one which ought to draw forth expressions on the part of his right rev. Friends of satisfaction, of mutual congratulation, and of thankfulness to Her Majesty's Government for having brought it forward. And his reason for saying so was, that although it professed to relieve persons from disabilities to which they were liable in consequence of their religious opinions, he held that it was not more a relief to those persons than it was a relief to the Church of England. It was a relief to one party, indeed, from unjust and heavy disabilities; but it was a relief to the other from the very heavy load of obloquy, of odium, and of shame, to which the continuance of these laws subjected them. And so strongly did he feel this to be the case, that if his right rev. Friend at the Table (the Bishop of Exeter) had himself been the person to introduce the measure, however they might be surprised at it, there would, he was sure, be few men in the country found to say that he had acted in a manner at all inconsistent with his station as a Prelate of the English Church in doing so. With regard to this measure, he believed that no one would say that the repeal of these enactments generally was not in some degree desirable. He was free to admit that there was a great difference between the enactments generally that were proposed to be repealed, and those two particular Statutes to which the questions of his right rev. Friend at the Table had proposed to the Judges had reference. As to the great mass of the enactments, he considered that they were positively unjust and iniquitous; that they never ought to have been part of the law of the land; that there never were historical circumstances which would justify such cruel and wanton violation of the rights and liberties of the subject. He would not say that the circumstances and the times in which those enactments were passed did not afford some excuse for them; but he would say that in themselves they were such enactments as needed an excuse; and that, taking all into account, it was for their Lordships now to deal leniently with the prejudices and principles involved in them, but, at the same time, not to support them as applicable in any way to our own day. But as to the two particular enactments referred to by the right rev. Prelate, they stood on very different grounds. He admitted that there might have been reasons in former times to justify the prohibition under severe restrictions of the introduction of papal bulls. He would admit that if the Government of the day deemed such a measure necessary

for its security and safety, they were justified in introducing it; and he was prepared to make even a still larger concession, and to say that there would be nothing inconsistent with the broad principles of freedom if the Government of this day thought proper to exercise a similar control over the importation of these papal bulls as was enforced by other European Governments. But when he had said this he had gone as far as he could go. He could not sympathize in the slightest degree with the view taken by his right rev. Friend at the Table on this important question. His right rev. Friend looked on these penal clauses as bulwarks of the Constitution. He (the Bishop of St. David's) looked upon them in no such light. He very much questioned whether, even at the time they were enacted, they were so necessary or so expedient as the right rev. Prelate supposed them to be; and he believed that if they never had been enacted, the people of England would, notwithstanding, be at this hour enjoying all their liberties to the same extent as they now possessed them. But however that might be, he would say this, that the circumstances under which these Acts had been adopted had passed away, and that if a necessity for them existed at all, that necessity did not exist now. And here he might be permitted to ask what were the force and efficacy of what they called papal bulls? Was that force and efficacy in the piece of lead which was attached to the document on which the bull was written? Was it in the silken or hempen string by which the seal was attached? Was it in the contents of the document itself, or, to drop all those idle suppositions, was it even in the mind and intention of the Pope who made and published it? Now, he was then coming to a point in which he supposed he had the misfortune to disagree entirely from his right rev. Friend, for the right rev. Prelate seemed to think—and indeed it had been assumed in argument not only by him but by many others—and he was afraid that it was a very prevalent idea out of doors—that they were to estimate the danger that threatened them from these papal bulls by the opinion which the Pope himself entertained of his own power and authority. He would say that there could not be a more unfounded notion than that idea, and it appeared to him that all the examples which the right rev. Prelate had brought forward in support of his argument had most lamentably fallen short of the mark. He had been actually surprised at some of the references which the right rev. Prelate had made to transactions in modern history, with a view to prove his proposition. He believed the right rev. Prelate had referred more than once to the transaction which had taken place in the beginning of the reign of Napoleon, and to the authority which Pope Pius VII. exercised when he changed the state of the whole Gallican Church, deposing an immense number of bishops, and transferring their allegiance from their legitimate prince to the usurper, Napoleon Bonaparte. Now he was utterly astonished that such a fact as this should be recalled to their Lordships' recollection for such a purpose; for if there were any proof in modern history stronger than another of the low state of degradation to which the papal power had fallen in modern times, he would refer to this as the instance. Why, was there anything in history more palpable or notorious than the extreme reluctance and terror—he might say, than the horror—with which that poor old man (of whom he wished to speak with the greatest veneration), Pope Pius VII., had consented to yield to the imperious demands of Napoleon, and lent his sanction to the proceedings then contemplated in France? Or was there any Roman Catholic who did not conceive that the authority of the Pope had never been more degraded than when he was forced to quit his own capital and go to Paris to attend the ceremony, and to place the crown, not on the head—for he was not allowed to do that—but into the hands of the modern Charlemagne? Could they look to any part of Europe with an unprejudiced eye, and not see the same facts continually and universally forced on their observation? And then with regard to the instance which the right rev. Prelate had mentioned that night of the allocution of the Pope with reference to Spanish affairs, he would like to know what effect had that allocution produced in Spain? Or, were they to take any instance that could be stated of the most extravagant assertion of papal authority, he would like to know in what case it had produced any effect on the country to which it related, when it happened to be against the wishes and inclination of the people? He had asked in what the force or efficacy of these papal bulls then really consisted? It did not lie in the parchment or in the lead, or in the silk or hemp, nor, according to his view, in

the mind or the intention, or the views of the Pope who affirmed or issued it, but he believed that its force consisted in the minds and in the intentions of those to whom it was addressed; and therefore it was that he would say, as long as the Roman Catholic population of this country preserved that character which they had now maintained for centuries, in spite of the hardest trials to which any class of men had ever been subjected, he, for one, should feel no alarm, supposing, though the severest penalties were enacted against the importation of papal bulls, that still one of these formidable documents should by any sleight of hand be smuggled into this country, and be found some unlucky morning affixed to the gates of London or to the walls of Buckingham Palace—he should feel no more apprehension of danger for the liberties of the people under such circumstances, than if it remained still within the walls of the Vatican. It was then quite clear that their safety never depended on the mind of the Pope, but on the intelligence and loyalty of the Roman Catholic population of this country; and the more confidence they reposed in that population, the better grounds would they find for that confidence; while the more of suspicion and distrust they showed towards them, the more grounds would they give for entertaining that distrust and suspicion. He did not mean to insinuate that under any circumstances that class of persons would ever become unfaithful to their allegiance, or would abandon the course which they had hitherto invariably pursued; but he said that they never should be subjected to the necessity of making such triumphs of duty and loyalty; that their honourable feelings should never be so sported with and trampled upon. That was one point to which the right rev. Prelate had more particularly addressed himself; but there was another point which did not come entirely under the same head—the enactment referring to the extolling and setting forth of the papal supremacy. There, again, he had the misfortune to differ from his right rev. Friend, because he conceived that this enactment, even if not unreasonable and absurd, ought to be repealed; first, as being utterly useless, and, secondly, as being flagrantly unjust. He maintained that if this enactment were to be rigorously acted upon, it would be unjust, for it imposed restrictions on the Roman Catholics that would not be felt by any other persuasion; and he also thought that no ground of public security or convenience existed which required such restrictions to be imposed. For that reason he thought it to be unjust; and he believed it was still more manifest that it was useless. Was it possible to restrain the language of men and the freedom of the people to this extent? Was it possible that if these opinions were entertained in other countries they would not also be alluded to and maintained by argument by particular individuals here? He observed the other day an extract in a French newspaper that he thought was a very sensible observation. It was in reference to something which was supposed to have occurred in their Lordships' House, and which was understood to have fallen from his noble and learned Friend opposite (Lord Brougham) complaining of the conduct of the Archbishop of Paris in directing prayers to be offered up for the conversion of England to the Roman Catholic religion. The observation was, that the complaint of the noble and learned Lord was unreasonable, because there was nothing to prevent the noble and learned Lord, or others in this country, retaliating, by offering up prayers there for the conversion of France. But what would become of their dignity and honour if it were supposed for a moment that the safety of their liberties and Constitution depended in such a miserable and precarious state, that they were in danger, because the Pope believed he possessed unbounded spiritual or even temporal power; that their liberties and Constitution were in danger, because the Pope might possibly find some individual to set forth and extol that power? And yet, that was the utmost that the advocates for the continuance of that Statute could go; because, if anything further were attempted, if any attack were to be made on the authority of the Queen, then it was not denied that the common law of the land was sufficient to ensure the punishment of the authors. Therefore, he thought on this point his right rev. Friend had greatly mistaken the real question at issue. For his own part, he heartily approved of every clause of this Bill; and he believed, if it had a fault, it was that it did not go far enough. He believed that still more might be done on the principle of this Bill, and done with safety, to give relief to persons who were now labouring under religious penalties and disabilities. He was not, however, called upon to enter further into that question at present, though he thought

it would not be right for him to discuss the question without some allusion to it. He was persuaded that the time would come, and that, too, before very long, when the subject would be brought under their Lordships' notice again; and, whenever that time did arrive, he hoped their Lordships' decision would be grounded on an impartial view of the real grounds of the case, and that they would not be influenced by the force of names, by popular outcry, or by rhetorical declamation; that they would look to the people accused, and to the character of the accusers, and that they would see whether these accusers were not persons who, so far from possessing any legitimate authority—so far from deserving a share of influence and character, were not, on the contrary, persons who had proved themselves capable of conduct much worse than that which they imputed to their opponents—that they were literary demagogues who had been pandering to the worst passions of the multitude—prostituting their talents and, what was worse, their stations as teachers, to the vilest ends—that they had been degrading the most sacred names of humanity, of philanthropy, and of freedom, and then put themselves forward in the foremost ranks to point public indignation towards men from whose religious sentiments they differed.

The BISHOP of OXFORD said, he would not trespass on their Lordships' time, were it not for some words that had fallen from his right rev. Friend behind him, who had just sat down, of which he felt bound to complain. His right rev. Friend had stated, that the just and liberal measure which was now before them, had been received coldly, reluctantly, and unworthily by his right rev. Friends around him. On their behalf, as well as on his own, he begged entirely to reject that imputation. He could not suffer the right rev. Prelate alone to claim—be it the merit or be it the shame—of welcoming heartily and gladly the measure of the noble and learned Lord, which he thought tended to relieve the Statute-book from injurious and insulting penalties which he and they regarded as a disgrace to it. But in stating this as his opinion—and he rejoiced to hear it assented to by his right rev. Friends around him—while he claimed for themselves this amount of liberality, he wished to go on, and say that there were other parts of it to which he objected, and which he thought none of the arguments of his right rev. Friend had succeeded in reaching. Therefore, while he rejoiced that they should go into Committee on the Bill—while he gave the measure generally no cold assent, but rejoiced heartily in the passing of the just and salutary parts of it, he should confess that he felt staggered when he came to some of the details. He felt on coming to the details of the measure, that there were still one or two objections which he would wish his noble and learned Friend on the Woolsack, and other noble and learned Lords present, would endeavour to remove. The second matter of which he complained in the speech of his right rev. Friend would bring him at once to those objections. The right rev. Prelate had stated, that he not only rejoiced heartily in the removal of these disabilities, but that he thought it was the special duty of the right rev. Prelates to rejoice at the passing of the measure, because it was setting the Church of England free from that which had been its great opprobrium—the continuance of these disabilities. That argument took it for granted that these enactments were the work of the Church of England. He denied that proposition entirely. On going back to that Statute of Elizabeth, when the supremacy of the Crown was re-established, they would find that every bishop at the time sitting in their Lordships' House had divided against it, because they had been of course attached to Roman obedience. The measures which they now proposed to repeal, were not, in point of fact, enacted for the Church of England, but for the State of England—a most important distinction. He rejoiced, he repeated, as a Member of the Church of England and as an Englishman, to see these insulting enactments repealed; but he would say, that the Prelates of the Church of England had no more to do with it than any of their Lordships. The Act was a civil measure. And here, he should say, that it was a strange thing, that in the Report of the Commissioners they commenced with the words "in the reign of Queen Elizabeth, when the supremacy of the Crown was first enacted." Why, if these Commissioners had looked into the matter, they would have found that from the very earliest time the ancient realm of England denounced and denied the right of intermeddling in the affairs of this country on the part of any foreign State whatsoever. That was an assertion of nationality. They had been told the other night by every noble and learned Lord in the House, and with singular strength by

his noble and learned Friend opposite, that it was in consequence of the bull deposing Queen Elizabeth having been insultingly posted up in this city, that this Act had been passed. They were, to be sure, told that there was abundant inherent vigour in the common law of England to deal with such manifest acts of treason as that; but then he would ask, if that were so, for what reason was this Act passed? It was this. The Pope had put forth his claim to these unjust powers; the English people became indignant; and their greatest statesmen, including Bacon and others, considered that it might be expedient to put forward a declaration of the nationality of this land. They could not do so by bulls, and they adopted the only means at their disposal—they passed Statutes declaring the nationality of the country. These were, therefore, not religious, but civil and national enactments; they were counter-statements of nationality in opposition to the anti-national pretensions of the Pope. But what state were they to be in if this enactment was now to be repealed? The Bill of Her Majesty's Government purported to do away with all declarations of nationality. It proposed distinctly to allow thenceforth, not merely to connive at the ecclesiastical power of the Bishop of Rome within this realm of England. It proposed to recognise the power of introducing the Pope's bulls, and to legalize the authority of the Pope in this country. Was he not, therefore, right in saying that the nationality of England, as put forth in the declaration that no foreign Power, State, or potentate, had any authority within these realms, was withdrawn? In fact, the Commissioners felt such to be the case, for they proposed a new oath of allegiance to be taken by Roman Catholics, leaving out the declaration that the Bishop of Rome neither had nor ought to have any civil or ecclesiastical jurisdiction, power, or authority in this realm. But how would this Bill leave the question? When any of their Lordships, or any other person, took the oath of supremacy in future, they would still have to swear that the Pope of Rome had not, and ought not to have, any jurisdiction, civil or religious, within this realm. The noble and learned Lord, therefore, instead of giving them a half measure, should have provided for this grievance, and not have left every one who took this oath in future to swear what he knew to be a falsehood. When every rational man took the oath, he felt it to mean that the Pope had no such power by any law or constitution of this realm; and not that no individuals in the country admitted the existence of such a power. This, however, would be the case no longer, for by this Bill the authority of the Pope in spiritual matters would be distinctly allowed by law. If the Constitution of England admitted this power of thus changing the terms of an oath, when it did not apply to a particular state of things, why did not the noble and learned Lord bring forward a measure with the oath as proposed by the Commissioners, in order that, whilst he was legalizing (as he was doing) the spiritual power of the Bishop of Rome in this country, he should not, as he seemed to be doing, spread a net to entangle conscientious men? There would be multitudes of people who would say, that it was impossible for them to take the old oath according to the old Constitution. If it were necessary to admit by law, instead of conniving at, the authority of the Pope, he (the Bishop of Oxford) was sure that the noble and learned Lord would be able to frame an enactment which would exclude the evil and preserve the good, in the shape of a solemn national protest against the authority being injuriously exercised. His right rev. Friend had spoken as if they were afraid of the papal authority spreading again over this country. Believing, as he did, that the whole of that power had been constructed on a fallacy and on falsehood; and reading history as he had done, he could not believe that the old wells of error were going to rise and overflow them; and he had therefore no such fears. His fears were from a very different quarter. He feared that this might be bringing in latitudinarianism and carelessness as to all belief—that they were but opening the door to incredible dangers when they believed that they were merely admitting Romish superstition.

Lord BROUGHAM said, his noble and learned Friend on the Woolsack had in his statement so unanswerably replied to the speech of his right rev. Friend at the Table (the Bishop of Exeter), who had taken the objections to the law points on a former occasion, that he should only waste their Lordships' time, were he at this period of the debate to add anything to his noble and learned Friend's arguments. No doubt the supremacy of the Pope might be mooted in the present state of the law, provided it was done respectfully to the Queen's supremacy, and respectfully to the Constitution of these realms as by law established.

But there had been a material change with respect to the law regarding the oath of supremacy since the laws affected by this Bill were passed. Somewhere about fifty years ago the law respecting the compulsory taking the oath of supremacy, by all the Queen's subjects, was repealed as regarded its being compulsory to take it; and in 1829 the oath itself was materially altered, and the Roman Catholic people of the Empire were allowed to substitute the oath as it now stood: the words "spiritual and ecclesiastical" remained in the oath to be taken by persons not Roman Catholics; whereas Roman Catholics obtained the same benefits which formerly could be had by taking the whole oath, upon taking the oath with the words "spiritual and ecclesiastical" omitted. If the words denying the spiritual and ecclesiastical supremacy of the Pope had been left in, the Roman Catholics could not have taken the oath. His noble and learned Friend had well argued that it was not illegal, much less penal, for any one temporarily and inoffensively, and without malicious intent or seditious purpose, to moot the subject as to the spiritual and ecclesiastical power of the Bishop of Rome within this realm. A great difficulty, however, had been raised by his right rev. Friend who had last addressed their Lordships. He felt that there were weighty considerations in dealing with matters of conscience; but these points were not dealt with in the present measure of his noble Friend, for this Bill only treated of the penal statutes and enactments now existing. He felt the full force of the statement of his right rev. Friend (the Bishop of Oxford); but he must be permitted to say a few words as to the dangers apprehended by that right rev. Prelate, as well as by his right rev. Friend at the Table (the Bishop of Exeter). The arguments of both centered in the consequences which might follow the repeal of these statutes as regarded the oath of supremacy. There was nothing in this Bill which prohibited them from protesting against the acknowledgment of the Pope's supremacy. The laws proposed to be removed from the Statute-book, and more especially the 1st and 15th of Elizabeth, would not affect the question of supremacy; for the matter stood broadly on the face of the Statute, in the shape of the declaration of the King, Lords, and Commons, as to the ancient supremacy of the Crown; it did not profess to want anything new, and the Commissioners never meant to say these Acts enacted something now which was not law before. It was a gross error to suppose that this enactment of the 1st of Elizabeth was a declaration of supremacy made for the first time.

The BISHOP of OXFORD observed, that he had said that the supremacy had then been recently re-established.

The LORD CHANCELLOR: The words of the title of the enactment were restoring to the Crown the ancient jurisdiction over the estate ecclesiastical and spiritual.

LORD BROUGHAM: Of course it meant the restoration and the re-establishment of the supremacy of the Crown after a Popish reign. In this respect only it was an establishment of the supremacy. The common law of the land had re-established it, and the Statute of Elizabeth merely declared its restoration. The enactment in the Statute-book also declared that the Pope's supremacy within these realms was a nullity. The enactment was a declaration of King, Lords, and Commons, that the supremacy of the Crown in civil and ecclesiastical matters vested in the Crown by the common law of the land. It inferred that the Pope's alleged supremacy was a fiction, a dream, a fraud, an imposition, and that the common law had always declared that the Monarch of this realm, in all causes or matters, civil or ecclesiastical, was supreme. That was sufficient for him, without continuing these penalties on the Statute-book. His right rev. Friend had said that these penalties were never enforced; but where such penalties were only dormant, they were often warmed into life with some sinister view, and for some malicious and bad purpose. His right rev. Friend at the Table seemed to think that somebody or other meant to taunt him for the line of argument which he had adopted on the present occasion. He could assure his right rev. Friend that he had no intention of doing anything of the kind. He knew full well if he attempted any such thing he should get the worst of it. With respect to the continuation of the oath of supremacy, the words left out could only affect Catholics, for they alone believed in the supremacy of the Pope. If he had any apprehensions on this subject, which he had not, he should feel satisfied when he considered that the allies only of the Pope would be allowed to leave out these words; but a good Protestant, or a good Presbyterian, like his noble

and learned Friend (Lord Campbell), for aught that he knew to the contrary, would still have to take this oath, with the declaration that the Pope had not now any right to have any spiritual or ecclesiastical supremacy within this realm. They should recollect, however, there were some hundreds of thousands of the subjects of the Queen in this country, and in Ireland such a large number as to make it some millions of persons, who looked to his Holiness at Rome as their spiritual father and lawful ecclesiastical superior; but that was not all, for it was an article of belief with them, that they must, in all matters ecclesiastical, implicitly submit to the authority of their spiritual father. An edict from that quarter might be addressed to this realm, or to a particular portion of the Queen's subjects who believed in the Pope's supremacy; and such edict, or proclamation, or bull, or rescript, or by whatever other name they might call it, they were bound to accept, and were bound in spirit and in conscience, as they hoped for salvation, and for the absolution of their sins, to believe that although they might hope to obtain absolution of other sins, yet if they denied in word or action, or even in thought, the spiritual authority of their spiritual father, they never could hope to receive absolution from their confessor. For his own part, he denied this popecraft, and, in point of fact, it had no influence with him. He did not say that the law enforced on all the acknowledgment of the Queen's supremacy in matters spiritual; but it did not prevent those who believed in it from assisting in it, and acting upon it. In his mind it would be better that the words should be struck out of the Protestant oath, as well as out of that taken by the Catholics. He would, however, leave this matter to the consideration of his noble and learned Friend on the Woolsack, who was a much better judge of the subject than he was. As for the importation of Popish bulls or rescripts, he did not agree in the propriety of continuing the extravagant enactments on this subject, which this Bill would very properly repeal; but still he thought that danger might accrue from their importation if there was not some check. He thought that it was a great anomaly—a grievous anomaly—to allow the orders and commands of a foreign potentate, addressed to most obedient slaves, to be received by them without any let or hindrance. This was not the case with other countries. With Austria this was not the case, and with that power there was no concordat. With France this was not the case with a concordat, with Naples without a concordat, and with Portugal, which was a most Catholic country, without a concordat. In all these countries they refused to receive or to allow the publication of bulls from Rome, without the sanction of the civil and ecclesiastical authorities. They were not regarded as the worse Catholics for this; they were not the worse viewed at Rome, for all those States received the nuncios of the Pope. He did not wish that this should be done by such interference; but he thought that such bulls should have the sanction of the civil authorities before they could be promulgated or considered valid. He, perhaps, did not apprehend that there was any great practical danger on this point; but still it was a striking anomaly. He (Lord Brougham) would, before he sat down, make one remark upon the reply of the right rev. Prelate (the Bishop of St. David's), to the observations which, on a former occasion, he (Lord Brougham) had made relative to a prayer offered up in Paris by the Archbishop of Paris for the conversion from their heresies of the English people. He had said that the offering up such a prayer was, to say the least, indecorous. The right rev. Prelate did not consider it so; he suggested that they in England might retaliate; but though this would indeed show a most gratifying mutual understanding between the two countries, it would be merely praying against one another—a very useless proceeding; and it was not at all improbable that precation might eventually assume the form of imprecation. They actually prayed in England, it was true, on one day in the year (on Good Friday), for the conversion of heretics; but they prayed only for heretics generally; while, in France, they had prayed during thirteen days for the conversion of the people of England, by name, from their detestable heresies to the Popery of the people of France, Suppose that every year specific forms of prayer were offered up in this country for the conversion of the people of France, he was satisfied that it would not afford any satisfaction in that country. It might be all very well to talk of heresy and such other matters; but the fact was, that nothing was so impolitic as the truth being spoken in plain terms at all times. If we had said something like the same things of them that they said of us, they would have a perfect right to complain

of us, as he complained of the Archbishop of Paris. He knew, however, that the thing had arisen from an error and oversight on the part of the French Government; and he had no doubt that it would not occur again. Before he sat down, he might observe that he had framed a clause which he should bring up on receiving the Report, by which it was enacted that no bull or rescript should be received or published in this country, without having been previously communicated to the civil authorities, and that any infraction of this should involve the party in a penalty of 50*l*. This would act without taking away any of the penalty which was attached by common law to the proceeding in such circumstances as made it be recognized for a public offence.

Lord CAMPBELL said, that as his opinion had been much alluded to by the right rev. Prelate who first addressed the House, he felt called upon to say a few words. He had not the slightest hesitation in going into Committee on this Bill; but he must repeat what he said on a former night, that, in his humble opinion, his noble and learned Friend on the Woolsack had acted very injudiciously in the manner in which he had conducted the reform of laws, the existence of which he had so much deprecated. When framed they were intended as a protection of the Protestant religion against Papal authority. Some involved the infliction of penalties, others imposed the taking of oaths. Both classes of enactments were intended for the same object, and these Acts of Parliament were all in one class. The existence of these Acts of Parliament, most of which had become obsolete, was pointed out to the attention of Parliament a few Sessions ago, and they were referred to the consideration of some of the most able men of the legal profession to draw up a Report on the subject. At the head of them was his learned Friend Sir Edward Ryan, formerly Chief Justice in India, than whom, for high honour, for great intelligence, and profound learning in the law, his superior was not to be found. He believed that these gentlemen got through their labours in a most able and satisfactory manner. In December last they framed the model of an Act of Parliament on this subject, which they handed over to his noble and learned Friend on the Woolsack, and which contained both the new oaths proposed to be taken in lieu of the present oaths, and also the new penalties. From what he could judge of the new penalties and new oaths, he should have wished that some measure should at once have been introduced respecting them. He was satisfied if this measure passed in its present form, it would be most imperfect; for if they allowed the oath of supremacy to remain as it now was, it would be a snare to tender consciences, and would prove most injurious to many persons. Though this was his opinion, and though he thought that the noble and learned Lord would have done well to have yielded to the Report of the Commissioners, yet he was bound to say that he approved of both parts of the Report, and cordially supported this Bill; yet he still hoped that the second Bill would be brought in before the present one was finally dispssed of. He was glad the Bill had proceeded so far, however, as it would do much to relieve the Statute-book from many Acts which were a reproach to the laws of the country; and although the Legislatures which passed them might have grounds of excuse for making such laws, yet they could have no excuse for allowing them to remain on the Statute-book.

Lord STANLEY said, that he did not intend to enter into a discussion at length on the merits of the measure, which as far as he understood the principle or details of it, should have his cordial support. He could not let it pass over its present stage in silence, and without alluding to the misapprehension of the right rev. Prelate who spoke last, which mistake appeared to be sanctioned by the high authority of his noble and learned Friend (Lord Brougham). As he understood the argument of the right rev Prelate, and of his noble and learned Friend, it was that we had adhered up to the present time to the oath of supremacy which had been taken by the Members of that House, and by a large portion of the Protestant people of this country; yet that after the passing of this measure it would be impossible for any man with a safe conscience to swear that the Pope had not and ought not to have any spiritual or ecclesiastical jurisdiction in this realm. With great deference to the right hon. Prelate, he would submit whether this Bill, should it become an Act of Parliament, would in the slightest degree affect the existing law. [The Bishop of Oxford: No, no!] The right rev. Prelate said so in fact, for he stated that they were about to legalize the spiritual jurisdiction of the Pope. He must say, with all respect, they were going to do no such thing; for after the passing of the Bill the jurisdiction of the Pope would re-

main the same, and would not be more or less legalized than it was at the present moment. At present, as all their Lordships knew, a large body of their fellow subjects were, in matters spiritual and ecclesiastical, bound in conscience by the decrees of the See of Rome. If the interpretation put upon the oath was to be adopted, every one of their Lordships were as much guilty of perjury at present as after this Bill passed. This Bill did not legalize any matter; but it took away certain specific formalities for receiving communications, innocent in themselves, but deemed guilty because they came from the See of Rome. If there was anything seditious in them, or against the peace of the Crown, or against the civil rights of the subjects of the Crown, the fact of their being issued from Rome did not give them any more legal authority or impunity after the Bill passed than they had now. Nor by this Bill did they acknowledge any spiritual or ecclesiastical authority of Rome, which the oath now rejected, for the oath must mean that no foreign potentate had by right any spiritual or temporal authority within this realm. They did not question the spiritual authority of the Pope over any one in this country; but the oath of supremacy was a declaration by oath—and it would be after the passing this Bill as at present—that there was no law in this country, that there was no law now, nor ought there to be one, by which the subjects of this realm were bound to acknowledge the supremacy of the Pope in matters spiritual or ecclesiastical. The Roman Catholic subjects of this realm might resist the authority of the Pope; and if any Roman Catholic clergyman, by a bull, or rescript, attacked any Roman Catholic subject of the Crown, the law would step in, and would protect the right of any person, and would give damages against the priest making such attack. There were many instances which he could cite in which the law had stepped in and protected the rights of the people. Indeed, within the last few months a conviction of this kind took place in the county of Cavan. In this instance a priest had excommunicated from the altar a Catholic layman, who appealed, not to the Pope, but to the civil jurisdiction of the country, which gave to the layman damages against the priest. That was what was meant by saying that the Pope had not any right to have civil or spiritual jurisdiction, and this was not altered by the Bill. He did not see that his noble and learned Friend on the Woolsack ought to be charged with unfairness because he had postponed his proposition for altering the law on this subject, while he introduced this measure for sweeping away obsolete penalties. If this was an alteration of the law, and he had kept back the difficult question as to the oath of supremacy for the purpose of obtaining an advantage by passing this Act which would make it necessary to change the oath of supremacy, there might be some ground for it. He was sure, however, that his noble and learned Friend would shrink from the imputation of dealing so unfairly, and no one would condemn such conduct more than himself. He certainly thought, if the right rev. Prelate were justified in his premises, he would have been justified in his conclusions; but believing he was in error, he (Lord Stanley) thought he would be forgiven for stating his reasons for dissenting from those premises, and not agreeing in those conclusions.

The LORD CHANCELLOR observed that the Act contained a full and copious declaration of the supremacy of the Crown; what alteration, then, was made in the law by the repealing the penalties?

The House then went into Committee, and agreed to the clauses of the Bill, with the exception of three opposed clauses, which were reserved for future consideration.

The House adjourned about a quarter past Nine o'clock.

HOUSE OF COMMONS,

Friday, May 15, 1846.

MINUTES.] PUBLIC BILLS.—1°. County Rates; Viscount Hardinge's Annuity (No. 2); Convicts.
2°. Battersea Park.
3°. and passed. Corn Importation.

PETITIONS PRESENTED. By Mr. O'Connell, from Inhabitants of the City of Cashel, praying the House to order the Immediate Release of William Smith O'Brien, Esq. —By Mr. Gibson Craig, from the Free Presbytery of Edinburgh, complaining of Refusal to grant Sites for Churches to the Free Church in Scotland.—By the Earl of Arundel and Surrey, from Secular Clergymen and Laymen of the Town of Leamington and its Vicinity, professing the Roman Catholic Religion, and by Mr. Sidney Herbert, from Inhabitants of Wardour and its Vicinity, professing the Roman Catholic Religion, in favour of the Roman Catholic Relief Bill.—By Mr. Sidney Herbert, from Inhabitants of the Town of Wexford and its Vicinity, for providing Chaplains for Roman Catholic Soldiers. —By Mr. Joseph Bailey, from the Reverend the Dean Rural and Clergy of the Southern Division of the Deanery of Frome, and by Mr. Burroughes, from the Venerable the Archdeacon and Reverend the Clergy of the Archdeaconry of Norfolk, against the Union of the Sees of St. Asaph and Bangor, but providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester. —By Colonel Arbuthnott, from Noblemen, Owners, and Occupiers of Land, and others interested in the Cultiva-

tion of Land in the Counties of Kincardine and Forfar, and by Lord George Bentinck, from George V. Drury, Shotover Park, near Oxford, against the proposed Government Measure respecting Customs and Corn Importation. By General Morrison, from Owners of certain Steam Boats plying on the River Forth, betwixt Stirling, Alloa, Kincardine, and Granton, praying that all Expenses for the Erection and Maintenance of Lighthouses, Floating Buoys, and Beacons on the Coasts of the United Kingdom, should henceforth be defrayed out of the Public Revenue.—By Mr. Baskerville, and Mr. Halsey, from Ledbury, Bishop Stortford, and Hitchin Poor Law Unions, for rating Owners of Small Tenements to the Poor Rates in lieu of Occupiers.—By Mr. Gibson Craig, from Lord Provost, Magistrates, and Council of the City of Edinburgh, in favour of the Art Unions Bill.—By Sir Henry Winston Barron, from Chairman, Vice-President, and Members of the Society for the Improvement of Ireland, for Alteration of the Drainage, &c. (Ireland) Bill.—By Mr. Thomas Duncombe, from Inhabitants of the Vale of Leven, and from People of Hyde, in Public Meeting assembled, Joseph Wood, Chairman, for Limiting the Hours of Labour in Factories to Ten in the Day for Five Days in the Week, and Eight on the Saturday.—By Mr. Masterman, from Ropemakers in London who use Steam Power at their Works, for Exempting the Ropemaking Trade from the Operation of the Factories Act.—By Mr. Bowes, Mr. Evans, and Mr. Long, from a number of places, for Repeal or Alteration of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Captain Pechell, from Ratepayers of the Parish of Winkfield, respecting the Operation of the Poor Law in their Parish.—By Mr. Barnard, from Inhabitants of the Town of Deptford, for Repeal or Alteration of the Metropolitan Buildings Act.—By Mr. Ainsworth, from Officers connected with the Administration of the Poor Laws in the Bolton Union, for a Superannuation Fund for Poor Law Officers.—By Mr. Poulett Scrope, from Inhabitants of Ballingarry Parish and District, suggesting Measures for Poor Relief in Ireland.—By Lord Rendlesham, from Inhabitants of the Town and Borough of Beccles, and by Mr. Wilshere, from Guardians of the Poor of the Parish of Great Yarmouth, for Alteration of the Poor Removal Bill.—By Lord Seymour, from Inhabitants of the Borough of Totnes, for the Adoption of Measures for the Suppression of Promiscuous Intercourse.—By Mr. Thomas Duncombe, from James Clephan, of 18, Warwick Street, Charing Cross, in the City of Westminster, for Inquiry into his Plan respecting Metropolitan Railways.—By Mr. Botfield, from Magistrates, Clergy, Gentry, Merchants, Tradesmen, and other Inhabitants of the Town of Ludlow, in favour of the Salmon Fisheries Bill.—By Mr. Wilshere, from Guardians of the Poor of the Parish of Great Yarmouth, for Alteration of Law of Settlement.

EAST INDIA COMPANY'S ANNUITIES TO VISCOUNT HARDINGE & LORD GOUGH.

MR. HOGG rose to ask leave to introduce two Bills to authorize the East India Company to grant annuities of 5,000*l.* and 2,000*l.* per annum respectively to Viscount Hardinge and Lord Gough, for their recent brilliant services in the East Indies. He hoped no obstacle would be placed in the way of forwarding those measures.

SIR R. PEEL said, that so far from throwing any obstacle in the way of their progress, he would do everything in his power to hasten them forward.

MR. HUME wished to know when an opportunity would be given of discussing the merits of the Bills for granting Peerages to Lords Hardinge and Gough, because it might happen that those Bills might pass at a late period of the night, without an opportunity being afforded of discussing them at all. He wished to have an opportunity of making some remarks respecting them, because he had an objection to grant pensions to persons whose descendants would be unable to maintain the dignity of the Peerage, and because the time had come when they ought to require Her Majesty not to grant Peerages which must be kept up at the expense of the country. With all due deference to the House, he must say that he thought this plan of granting Peerages with annuities for two or three lives, and then leaving those upon whom the honour had descended destitute, was a reprehensible practice, and ought at once to be abrogated. In the case of Lord Gough, for instance, the sums of money conferred upon him would not last longer than the ordinary duration of two lives, because he was advanced in years. He urged the same arguments several years ago, in the case of Lord Keane; but he was opposed to the House, and was, therefore, unsuccessful. He repeated that he considered the time had arrived when the Government ought to consider whether it was politic to grant titles when there was no property to maintain them; for wherever this was done they had the Peer and his family quartered upon the public, and there was no getting rid of him or his progeny for generations. He did not wish to particularize individuals; but, if they created an aristocracy, it ought not to be maintained by the public purse. It was true the customs of the country precluded them from following any avocation by which they could maintain themselves, but it did not preclude them from getting families. He thought it was really a question for the House to take up —whether, when Peerages were proposed to be conferred on individuals who had not the power of supporting them, and which would consequently have to be supported at the expense of the country, it was politic to grant them. It was the system he complained of, and not the individuals. He hoped, however, that the House would have an opportunity of discussing the Bills by daylight and not at the dead of the night, when the House could not be expected to give due attention to the matter.

SIR R. PEEL said, that considering Lord Gough had recently gone through four gallant battles, it was rather hard for the hon. Gentleman to say that his life

was not worth a year's purchase. But, as to the Bills which were to be brought in, he would endeavour to afford every opportunity for their due consideration. It was not the fault of the Government that Bills of that nature were brought forward at midnight. As to the observations of the hon. Gentleman, he could not admit the truth of his assertion that Peerages, which had been created for public services, were generally dependent upon the public. In almost every instance the families of persons raised to the Peerage had been possessed of means adequately to maintain the dignity of their rank and position.

Leave given. Bills brought in and read a first time.

POST OFFICE.

Mr. CARDWELL moved that the House, at its rising, do adjourn to Monday.

Mr. T. S. DUNCOMBE seeing the hon. Gentleman the Secretary for the Treasury in his place, wished to ask him a question with reference to inquiry into the Post Office abuses he had lately brought under the consideration of the House. He had been given to understand that the speech he made on a recent occasion had been placed in the hands of Mr. Peacock, the Solicitor to the Post Office, to inquire into the charges which it contained, notwithstanding it had been stated that they were groundless. He wished to know whether his information were correct or not. He understood, also, that some of the letter-carriers were taken before Mr. Peacock to be examined, touching those charges, but, upon asking for a pledge to be held harmless if they told the truth, it was refused. The inquiry was one which ought to be conducted in such a manner as to give satisfaction to the public. He wished, therefore, to know whether the hon. Gentleman would have any objection to produce the evidence which was taken, and to inform the House of the result of the inquiry.

Mr. CARDWELL said, that in reply to the question of the hon. Gentleman, he would confine himself to an explanation of the course which had been pursued. The Postmaster General being desirous to have a full investigation into the whole question connected with the sub-sorters, had considered it judicious that the inquiry should be conducted by gentlemen who were not connected with the Post Office department, and, therefore, he had appointed the solicitor of the Post Office to conduct the investigation. At first the president of the inland department, and the inspector of the sub-sorters had been present during the examination of the letter-carriers; but as some of the witnesses had objected to the presence of those persons, they had subsequently been examined in their absence. In the present stage of the proceedings, however, it must be obvious to the hon. Gentleman, that he could give him no further information. The result of the inquiry should be made known immediately after its termination.

Motion agreed to.

The subject then dropped.

CORN IMPORTATION BILL—ADJOURNED DEBATE—(THIRD NIGHT).

The Motion for the Adjourned Debate having been read,

Mr. COLQUHOUN said, after the full discussion the subject had received, he was aware he could add nothing new to the arguments advanced against the measure by his hon. Friends. He feared, however, that those arguments, able and powerful as they were, would not succeed in changing the resolution of the House. Though he could not alter the decision, still he was entitled to appeal to the House to consider whether the great change would really be advantageous to the country. The noble Lord the Member for Lynn had asked the right hon. Baronet as to the probable decrease of price which would be caused by the measure now under consideration; and the right hon. Baronet said he was not prepared to say that the price of wheat would fall lower than 35*s.* [Sir R. Peel intimated his dissent.] Well, the right hon. Baronet was represented as having made that statement. The right hon. Baronet had referred to the year 1835, when the price of wheat was 39*s.* 4*d.*

Sir R. PEEL: I beg leave to tell the hon. Gentleman what I did say. I was asked what I thought would have been the price of corn in 1835, supposing a free trade in grain had then existed. I said, "I am not prepared to admit that, suppposing for some years preceding there had been a free trade in grain, corn would have been below 39*s.* 4*d.*"

Mr. COLQUHOUN: It was, then, quite evident that the right hon. Baronet apprehended that the price of wheat under a system of free trade might fall as low as it was in 1835. But the circular of the Anti-Corn-Law League stated that wheat would be laid down at the doors of the

manufacturers at 30*s.* per quarter. These statements had caused the prevailing opinion of the country—for he admitted that it was the prevailing opinion—in favour of free trade; but if these statements were true, he contended, that from such a state of things great suffering and misery must necessarily be caused in this country. Take the years 1835 and 1836, in which the prices of corn had been at the low prices likely to be prevalent under a system of free trade. The historian of these years was Mr. Wilson, the Chairman of the Anti-Corn-Law League. [Mr. COBDEN: No; it is another Mr. Wilson who is Chairman of the League.] He was sure, however, that the hon. Member for Stockport would admit the talents of Mr. Jas. Wilson, who was an advocate of the opinions entertained by the hon. Member himself, and would willingly accept his description of the effects produced by the low prices of those years. Well then, Mr. Wilson had said that in those years there had been great agricultural depression, great manufacturing prosperity for a time, fearful and unnatural competition as the consequence of such prosperity—and then the reaction of misery and distress. Such, too, would be the effects produced by the low prices of free trade. [Sir JAMES GRAHAM: Hear, hear.] The right hon. Baronet cheered ironically, and by that cheer, he meant to say, that prices under free trade would not be low. But the right hon. Baronet must take one line of argument or the other. If prices were not low, if bread were not cheap, where was the benefit of this measure? Where was the good conferred upon the poor man? Where was the fulfilment of the hopes and prophecies, and promises of the League? It had been said that although there might be no fall in prices, there would be stability—that prices would be firm, that trade would be regular, and that a guarantee would exist against the high prices under which the country had suffered. Now, he believed that hope to be perfectly visionary, and that stability of price would be the last thing to expect from the repeal of the Corn Laws. And he would state the grounds on which he had formed that opinion. The average importation of wheat was now rather more than 1,000,000 quarters. He would assume the average importation in future to be 4,000,000 quarters, as the ordinary supply. The average produce of wheat in this country was 16,000,000 quarters, and the 4,000,000 quarters of foreign corn added to that would make, altogether, a regular supply of 20,000,000 quarters. What was the experience of former years? Mr. Tooke, the able statist, a gentleman of great mercantile experience, said that the harvest of 1834 was a harvest in excess over the ordinary harvest to the extent of one-fourth, and that was the cause of the low price in 1835. In 1838, according to the same authority, the harvest was deficient to the extent of one-fourth. Now, supposing the average to be 20,000,000 quarters, and there should be an excess of one-fourth, the supply would amount to 25,000,000 quarters, because the same causes which affected the harvest in this country would affect the harvests on the shores of the Baltic. Now a supply of 25,000,000 quarters, instead of 20,000,000 quarters, must depress the price most enormously; and in 1854, if the same causes should coincide in favour of an extraordinary harvest, prices would be depressed in a ruinous degree. The same thing would happen which happened in 1834. The farmers would be restricting the cultivation of wheat; the farmer abroad would also diminish his cultivation, and then, in the following year, there would be a restricted supply. Then, if there should be a deficient harvest, as in 1838, the prices would advance as enormously as they did at that time. The oscillation would be very great, and the prices would be ruinous to the farmer at one time, and at another ruinous to the manufacturer and the labourer. When it was said that if more corn was brought in it would be advantageous to the labourer, he begged to ask what had been the result since the beginning of the present century? Was he better off with an ample supply of corn than he was twenty years ago? If there was more corn there were more mouths, the population would be increased, and the proportion and distribution would be the same as at present, and wages would undergo no alteration. The right hon. Baronet (Sir R. Peel) had made some remarks that were not quite fair considering the position he had long occupied with respect to the agricultural interest; he said that agriculture had not thriven under the old system. No one could doubt that agriculture had improved in this country more than anywhere, and at this moment we occupied a position in that respect higher than any other country in the world except Belgium. This country fed a larger number of mouths per square mile than any country in Europe, except Bel-

gium, and that from its own soil. In France the number was 150 per square mile; in England 230. In France 14 bushels were grown on the acre, in England 28. And while in France the prices of meal and grain had been steadier, the price of grain in this country had been gradually declining for the last thirty years. If the right hon. Baronet considered it right to change the present system, let him not do it by maligning the agriculture of the country. There was no country in the world which presented such an amount of capital invested in agriculture, and which exhibited such an extent of continued and patient industry. But it was said the alteration in the Corn Laws would produce a wonderful improvement in trade, and that our manufactures would obtain a greater development than ever. Now let him call the attention of the House to the actual fact. Since the year 1815, nearly 8,000,000 had been added to the population of the country; and on the lowest scale of estimate our manufacturing produce must have increased at the rate of 64,000,000*l.* a year. The agricultural industry of the country had supplied the home market, and it was that on which the manufacturers mainly depended. But it was said that the great advantage was to arise from the foreign market. In 1815, the exports were 52,000,000*l.*, and last year they were only 58,000,000*l.* He was aware that the bulk of the manufactures had greatly increased since the former period; and that the shipping and other interests had been consequently benefited, but there had not been proportionate benefit to the labourer. He would ask, also, how much our Colonies had contributed to that increase in the value of goods sent abroad. The colonial trade was now about 14,000,000*l.* a year, and had nearly trebled in amount since the end of the war. What would be the effect of the present measure on the colonial interests? Did the manufacturers expect that the colonial markets would be in the same position after the passing of the present measure as they now were? Did they think that they would still continue to have in the West India and Canada markets a protective duty of 15 per cent? [Mr. COBDEN: No.] The hon. Member for Stockport said no. What, then, would be the consequence? Mr. Greg, in speaking the other day on the subject, stated that the cottons of the United States were running those of this country very hard in the market of Brazil; and what would be the result of a similar competition in the markets of the West Indies and North America? Would not the loss to the manufacturer be much greater than anything he could gain by the present measure, if he were driven out of the colonial markets by the cheap and heavy cottons of the United States? There had been many prophecies on this subject, and he would venture to prophesy that the manufacturers would be disappointed if they expected any great increase of their exports to foreign countries in consequence of this measure. The hon. and learned Member for Bath last night ridiculed the statement of the noble Lord the Member for Lynn as to our trade with Canada. The hon. and learned Gentleman stated that the greater part of our exports to Canada went to the United States; but the hon. and learned Gentleman did not seem to be aware that a large portion of the exports of this country to New York were intended for the Canadas, and he had every reason to believe that the noble Lord had correctly estimated the value of our trade with Canada at 3,000,000l. He feared that that trade would be greatly shaken by the present measure, and that the bond of interest between the Colony and the mother country might be weakened. At present the United States imposed a heavy duty on the corn and timber of Canada; but these duties would be abolished were Canada to become a part of the American Union; and such a consideration would no doubt be a great temptation to the colonists to take that step. His fears of the effects of the present measure might be greater than the result would justify; but he was certain that the hopes of the hon. Gentlemen opposite regarding the benefits that would flow from the measure, were visionary in the extreme. There was one class of effects, however, which would remain—the political effects which the measure had already occasioned. These effects were patent and known to them all. There was the severance of a great party of old associations, of himself and his hon. Friends from leaders whom they had long willingly followed. The combination of a great party had been broken up, and he did not think it likely that it would be restored. It was not, in his opinion, desirable for the public interest or useful for the country that the combination should be restored. It would be injurious to the character of statesmen and to those great institutions which they wished to preserve. He knew

that he was now touching on delicate ground. The right hon. Baronet at the head of the Government had spoken with some asperity of some of his former friends; and though he had no desire to make an attack on the right hon. Gentleman, he hoped the right hon. Gentleman would not complain of him if he were to exercise the privilege which he possessed as an independent Member, and criticised the public conduct of the Minister. No man more admired the talents of the right hon. Baronet than he did; and he would admit that it would be a very great loss to the country to be deprived of talents and services which in the eyes of many were inestimable. If the right hon. Baronet had only continued to maintain what they thought to be great principles and great institutions, he knew that the right hon. Gentleman would have been most cheerfully followed and cordially supported by his hon. Friends around him. But notwithstanding all the right hon. Gentleman's eminent talents and the integrity of his motives, the right hon. Gentleman must allow him to say that there were two blemishes in his public character, which were very injurious to the public in the times in which he was placed. The right hon. Gentleman wanted faith in his own principles, and had too great a dread of his opponents. These were his two defects. The right hon. Gentleman always appeared to hold his principles loosely—to be riding at a single anchor. At the first appearance of a storm on the horizon, the right hon. Gentleman goes to sea, and not only goes to sea, but throws overboard, as the storm increases, the whole cargo of his life. Allusion had been made the other night to the expectation which had been expressed out of doors, that the right hon. Gentleman might yet bring in a measure for the Repeal of the Union; and he must say, that if the principles of hon. Gentlemen opposite were advocated with ability and perseverance, and with an earnest, conscientious, fervent appeal to the country—if hon. Members appealed to this country earnestly, ably, and successfully—to the extent, he meant, of gaining a great amount of popular support—then he did not know the institution or the principle which the right hon. Gentleman would not, under a certain pressure, abandon. The aristocracy—the Church—that education which made a people great because it made them good—all those things which to them (the Conservatives) were cardinal principles, which they could not and would not consent to sacrifice—all those principles and institutions which the right hon. Baronet had supported during the last three years—years of experience to him and to them—there was not one of them, if there was only produced a sufficient amount of popular pressure, of ability, and of actual fervent impression on the public mind, that the right hon. Baronet would not let go; and there was not one of them with regard to which the right hon. Gentleman would not give the most elaborate reasons for abandoning. He had said, that even while urging the case of the Corn Laws, he felt that the cause was one quite untenable. How long that secret might have existed in the breast of his right hon. Friend, or in that of the right hon. Baronet (Sir J. Graham), he did not know; but he asked every man who had jealously and narrowly watched the actions of public men, if there was a single principle which the right hon. Gentleman had determined to persevere in, which, under the influence of popular excitement, he would not abandon. Although such was his opinion of the conduct and character of the right hon. Baronet, he would not have the House infer that he had, politically speaking, the slightest confidence in the noble Lord opposite. He admired the noble Lord's talents and respected his character; but he did not think that either he or his Friends could be induced to become followers of the noble Lord, especially in combination with the party who now supported him. The noble Lord was, without question, an able and a gallant captain; and he could perfectly understand the feelings of confidence and admiration with which his friends regarded him; because he had seen the noble Lord in stormy times, when his Administration was nearly wrecked, assume a gallant bearing, and always most chivalrous and most eloquent in times of the greatest danger and distress. Had he shared the opinions of the noble Lord, he should have been delighted to serve under such a leader; but he must say that he should have always felt, as he remembered having once felt at Calais, when storm-stayed and impatient to reach his own country. He remembered pressing a weather-beaten captain to put to sea; and he recollected his answer was, "You are a landsman, and, like all landsmen, very ignorant. This is not weather or a sea in which a ship can live." Now, he thought the noble Lord was just the man to leave the harbour when wiser or

more prudent commanders would keep the port. When there was great risk and great danger, it was proper to remain on shore, and not put to sea; but the noble Lord would for an inadequate object leave a safe haven, and brave the storms of the political ocean; and, therefore, however much he admired the noble Lord, he felt it would be the duty of himself and his friends, should the noble Lord move to that side, to continue the same opposition to his Government as formerly. Yet he would much rather have the noble Lord on that side than fight in a camp where the leader, the moment the guns of the enemy commenced to play, began to spike his own, and offered terms of surrender. He thought this a most anomalous and dangerous condition of public affairs; and he must avow his conviction that the sooner it came to an end the better. Much better with the noble Lord and his associates making their honest, bold, open attacks against the principles and institutions which they had been accustomed to cherish, than seeing those principles abandoned, and those institutions undermined, by Gentlemen whose talents they admired, but in whose courage they had lost all confidence. Much better that they should, however weakened, however deprived of their ablest leaders, meet the opponents of their views, and, as they thought, of the Constitution also, on fair terms on the floor of that House, than expose themselves to a condition of affairs, which was painful to the feelings of all, and most injurious to the interests of the country; and he took leave to say to the hon. Member for Stockport, who had said he and his Friends would meet them with the skeleton of the Anti-Corn-Law League—[Mr. COBDEN: The ghost]—well the ghost of the League—he ventured to tell the hon. Gentleman, that, whatever respect they might have for his talents, they could never coincide in his views. He thought his Friends had fought this battle gallantly and with singular ability, and the more they engaged in this war the more experience would they gain. Whether on the hustings or in the counties, where the hon. Member for Stockport said he reigned supreme in the affections of the farmers, or whether in the borough towns, where he considered himself still more triumphant—in all these sufficient opportunity would be given to meet them with courage, and, he hoped with success. And if they were worsted, as he thought was very likely in the present fight here, still they would, in defence of the great institutions of the country, carry on a gallant, and, he hoped, ultimately successful warfare; for though great excitement now prevailed, and was in favour of these measures—["No, no!"]—at all events a great portion of the present excitement was in favour of the Government—that excitement would, however, pass away; and when the promises of the hon. Gentlemen opposite were found not to be realized—when the promises they had made to the merchants, the manufacturers, and the labourers were not fulfilled in the increase of trade and manufactures — when all the hopes they had held out were proved to be visionary and fallacious, then would they (the protectionists) appeal to the people of England with this simple question, "Who, in the hour and crisis of difficulty, wese your subtle but faithless counsellors, and who your humble but consistent friends?"

MR. C. WOOD said, he had hoped that at this period of the debate they should have heard the last of the personal attacks which had come from hon. Gentlemen opposite. He thought that the party to whom the hon. Gentleman who had just sat down belonged, might fairly claim the praise which the hon. Member had bestowed on the noble Lord the Member for London, namely, that the worse their position was, the more gallantry they displayed in defending it; but he thought, also, that the hon. Member might have found, in the nature of the position which they occupied, some reasonable grounds for doubting the soundness of the opinions which were held by its defenders. On this subject, however, he would say no more, because he was anxious, during the very short time in which he should detain the House, to state the main grounds on which he supported this measure. He pleaded guilty to the charge of being one of those who, without the experience of the last three years, and even without the experience of many years before, had arrived at the opinion that a protective system of Corn Laws was inexpedient and unjust. Long before this question assumed its present aspect — long before that body to whom so much credit was due for their exertions had organized the means for obtaining a repeal of the Corn Laws, he had expressed his opinion to his constituents, that the landlords of England had no right to protection. He never had wavered in his opinion, that a system of laws for en-

hancing the price of food for the benefit of the producer was inexpedient and unjust. He must say, that the main reason which he had for supporting the present measure, was the effect which the maintenance of the Corn Laws had on the labouring population. He had, indeed, thought, until the other night, that the commercial advantages of the repeal of the Corn Laws were undoubted and undisputed. That point, however, had been questioned the other night by the hon. Member for Shrewsbury. He (Mr. C. Wood) did not think that the House was a good arena for a discussion on the principles of political economy. He would, however, call the attention of the hon. Member to this remarkable fact, that for years back there had been an extraordinary importation of corn at a very low duty, coincident with an extraordinary importation of bullion. That was a perfect contradiction to the theory of the hon. Member for Shrewsbury. At the end of the year 1838 the gold in the Bank of England amounted to 9,726,000*l.* In the course of the year following, 3,110,000 quarters of wheat were introduced into the country; and there was left at the end of the year 1839 only 3,934,000*l.* of bullion in the Bank. In the year 1840, 2,910,000 quarters of wheat were imported; and at the end of the year the amount of bullion in the Bank was 4,029,000. In 1841, 2,910,000 quarters of wheat were introduced into the country; and at the end of the year the bullion rose to 5,031,000. In 1842, the quantity of wheat imported was 3,110,000 quarters, and at the end of that year the quantity of bullion in the Bank rose from 5,000,000*l.* to 10,510,000*l.* In the two years 1843 and 1844, there were imported 3,246,000 quarters of wheat, and the bullion rose to 14,450,000*l.* That was perfectly inconsistent with the fact that a permanent import of corn from foreign countries led to a permanent drain of gold. That it would, in the first instance, lead to a drain of gold everybody admitted, but not permanently. In the interval between 1839 and 1844 the bullion, as he had shown, had increased from 4,000,000*l.* to 14,500,000*l.*, whilst, during the same period, a most extraordinary importation of corn took place, and chiefly from countries which protected themselves from the import of our goods by hostile tariffs. So much, therefore, for the argument of the hon. Member for Shrewsbury. The main ground, however, on which he (Mr. C. Wood) rested his vote for the measure was the benefit which he believed would be derived by the labourer from the abolition of the Corn Laws. No Gentleman on either side of the House had stated the full amount to which the benefit which the labourer would derive from the repeal of the Corn Laws would go. Now, he did not mean to say that hon. Members on his (Mr. C. Wood's) own side of the House alone stood up for the rights of labour. The hon. Member for Shrewsbury put the question the other day, and very fairly, upon this footing, namely, was this a measure which would be prejudicial to the labourer? The hon. Member's argument was, that there would be a great displacement of labour, in consequence of the repeal of the Corn Laws. The hon. Member contended that the agricultural labourer would be reduced to great distress, and that, although corn might be low in price, he would not have money to purchase it. But the hon. Member for Newcastle-under-Lyne had stated a fact in the course of his speech which showed that the contrary would be the case. That hon. Member had stated, that there had been a great improvement in agriculture during the last thirty years, and that this had taken place in the face of the falling price of corn. If, therefore, the price of corn fell in consequence of the passing of this Bill, it would not prevent improvements in agriculture. On the contrary, he believed that they would be more indispensably necessary. Now, improvements in agriculture gave greater employment to labour even for the production of green food; he had heard many hon. Gentlemen say that the best system of farming consisted in having a rotation of crops, instead of keeping lands in pasture, and that this was the system which gave the largest amount of employment to the labourer. He (Mr. C. Wood) did not anticipate, therefore, the slightest diminution of employment for the agricultural labourer consequent upon the change of the Corn Laws. The only other argument was that as the wages of the labourer were regulated by the price of agricultural produce, the price of food was of no consequence to him. He would not go into a discussion upon the principles of political economy, or allude to Adam Smith. He would appeal to the experience of all persons who were conversant with agricultural affairs. He was ready to admit that with regard to some portion of the agricultural labourers under the old Poor Law,

there had been some approximation to the principle which it was contended regulated the price of wages. When wages were paid, not according to the amount of labour performed, but according to the number of persons in a family, and so much bread was given per head, the labourer had what he should rather call an allowance than wages. He would, however, refer to what had actually been a short time ago, the rate of wages, as compared with the price of corn in this country. In 1835 corn was under 40*s.* the quarter, and in 1839 the average price was above 70*s.* the quarter. Now what were the wages in the south of England in the first of these years? Taking them to have been 8*s.* per week in 1835, they ought to have been 14*s.* a week in 1839, to have enabled the labourer to purchase the same quantity of bread. Unless the labourer had those increased wages he would not have been in 1839 in the same relative position as he was in 1835. Would any Gentleman connected with the south of England tell him that in 1839 the labourer's wages were 14*s.* a week? Would they even say that that sum was even approached? He believed the price of wheat now was between 50*s.* and 60*s.*, but he would take it at 50*s.* a quarter. The price being 40*s.* in 1835, and the wages 8*s.* a week, the labourer ought now to have 10*s.* a week wages; but were these the wages that were now given in Dorsetshire? It was well known that they were not. Wages, therefore, did not vary with the price of corn, and consequently a measure which prevented a rise in the price of corn was a great advantage to the agricultural labourer. He would now turn to the manufacturing labourer. There were those who said that whenever the price of food was low, wages were high in the manufacturing districts. He would not take upon himself to say that this was the case; but it certainly was true that of late years they had been remarkably coincident. He did not mean to say whether these things bore the relation of cause and effect or not; but certainly for the last few years the labourer, when corn was low, had a greater command of the necessaries of life. Now, he would take the same two years to which he had referred before—the years 1835 and 1839. In 1839 the price of corn rose 75 per cent, as compared with the former year. Now, in the borough which he (Mr. C. Wood) had the honour to represent between the same two years, the rate of wages fell 25 per cent, while the price of wheat rose 75 per cent. This, it was evident, made a difference to the poor man in the necessaries of life, of not less than 100 per cent. That made a very material alteration in the condition of the labouring man. He might move to an inferior house, he might wear worse clothes, he might give up the use of animal food; but what he could not give up without introducing disease and starvation into his family was bread. Now, he (Mr. C. Wood) wished to placed before the House a statement showing to what a great extent the comforts of the labourer did depend upon the price of wheat. The usual assumption was, that every person consumed a quarter of wheat per annum; it was also the usual assumption that a family averaged five persons. The consequence would be that the ordinary consumption of a family would be an average of five quarters of wheat per annum. Now, he would take a labouring family consisting of five persons, whose average earnings amounted to 1*l.* a week. In the year 1835, therefore, that family would have earned 52*l.*, and they would have had to have paid for their five quarters of wheat, 10*l.*, leaving them a balance for other purposes of 42*l.* In 1839, wages having fallen 25 per cent in the interim, the wages of this family would be 39*l.*, and the price of five quarters of wheat would be 17*l.* 10*s.*, so that, deducting 17*l.* 10*s.* from 39*l.*, the amount of their earnings for that year, instead of a balance of 42*l.* for the purchase of other necessaries, they would have only 21*l.* 10*s.*, whereby his income would be reduced rather more than one-half. He (Mr. C. Wood) had assumed that this family had been in the receipt of 1*l.* a week in 1835, and in doing so he had taken the higher description of labourer; but of course the lower the labourer was in the social scale, the heavier was the effect of the price of wheat upon his condition. Now, assuming that a family earned in 1835, 40*l.* per annum, in 1839 their wages would have amounted to 30*l.*, and the cost of five quarters of wheat being 17*l.* 10*s.*, only 12*l.* 10*s.* would be left for the purchase of other necessaries. Taking a case where a family earned still less wages, 10*s.* a week (which was 26*l.* a year), in 1835, their earnings in 1839 would be 19*l.* 10*s.*, and the price of five quarters of wheat being 17*l.* 10*s.*, they would only have 2*l.* to pay for rent, clothes, and other necessaries. He did not mean to say that this was a state of things that

could continue to exist, because it was clear that such a family must have deprived themselves of a very large portion of the ordinary food on which they lived before they could reach that point of destitution. Before, therefore, hon. Gentlemen talked of keeping up the price of corn, it would be well for them to consider what must be the effect upon the comforts of the labourers. The hon. Member for Somersetshire had spoken of the great distress that must fall on landlords in consequence of reducing the price of agricultural produce; but it should be remembered that precisely in the proportion that they would lose hereafter, the labouring poor lost now. They had heard a good deal in reference to the social condition of the people, of some being too rich, and others too poor. He thought this dangerous language, as, unexplained, it seemed to imply that the riches on the one hand arose from the poverty on the other. This was not true generally, as nothing tended more to give employment to the labourer, and go to improve his condition, than the accumulation of capital in the hands of the employers of labour. There was, however, one case in which this was true, and that was when the increased rents of the landlords arose from enhancing the price of corn, and thereby depressing the condition of the labourer. In this manner the evil so denounced existed in its worst form; and he warned those whose warm interest in the state of the poor he did not for one moment doubt, against continuing the evil, which they, as well as himself, so much deprecated. He individually did not believe that any such loss as was anticipated, would be entailed on the landlords of England. He did not anticipate such a fall in the prices of food as had been expected. The results both for good and evil of the measure had, he believed, been much exaggerated by partisans on both sides. For his own part, he believed that the energies of the farmer would be able to cope with all competition to which he would be exposed; while the increase of produce would more than make up for the diminished prices which might be anticipated. But whatever sacrifices a change in the existing system might entail upon landowners, he, as one of that class, hoped and believed that they would think of the interests of the poor, as paramount to every other consideration.

Mr. PHILIP BENNET said, he wished to take that opportunity of referring to a statement of the right hon. Baronet at the head of Her Majesty's Government, which coming from such a quarter was likely to have a mischievous tendency, in exciting the agricultural labourers against their employers. If he did not mistake the right hon. Gentleman, he stated that the price of wheat had no effect on the price of wages, or, if any, acted inversely. Now he (Mr. Bennet) could not answer for the manufacturers, who amassed large fortunes most rapidly, whether they allowed their operatives to share in their profits; but as West Suffolk had been named by the right hon. Baronet, he should confine himself to that point, and although condemning the present measure of Government as likely to bring ruin on all the best interests of the country, labour being a component part of the value of wheat, he considered that the probable reduction of the price of wheat would reduce the price of wages, as all practical men assured him of the fact that they varied the wages with the price of their produce. He did think that every person employed in the agricultural district in which he lived, would look upon them as doing an act of the greatest injustice, if when the price of corn rose, they did not allow the labourer to reap the advantage. He had taken every opportunity when in the country to ask persons whose experience was great, whether wages did not rise in proportion to the rise in the price of corn; and in reply he had been asked, "Can any person be so foolish as to suppose that we do not vary our wages with the price of corn? The moment wheat rises we raise the wages, and when it falls wages fall with it, and it is only right it should be so." He had heard this in an agricultural district. He would state the exact rate of wages which had been paid by an extensive farmer in his county. This was a statement of what that farmer had received for wheat in his farming book, and the wages he paid his labourers. The rate of wages might appear low, and he wished they had been higher; but they were paid for day work, which hon. Members were aware was far different to the payment for piece work. In the year 1834, when this farmer was paid 2*l.* 12*s.* 10*d.* per quarter for wheat, the labourer received 9*s.* a week. In 1835, when it was 47*s.* per quarter, the wages were then reduced to 8*s.* a week. In 1836, when wheat was 35*s.*, the wages were still 8*s.* In 1837 his wheat was 2*l.* 16*s.* 2*d.* per quarter, and he then paid

9*s*. per week for wages. In 1838 wheat was 2*l*. 18*s*., and he paid 9*s*. per week; but the latter part of that year the price rose, and the labourers were paid 10*s*. In 1839 the price was 2*l*. 12*s*. 8*d*. per quarter, and the wages 10*s*. a week. In 1840 wheat was 3*l*. 2*s*., and the wages 10*s*. In 1841 the wages were 10*s*. per week. In 1842 they were 10*s*., and 9*s*. when the price of wheat was falling. In 1843 wheat was still falling, and the wages were 9*s*. In 1844 wages were 9*s*. a week, and in 1845, when the price of wheat was very low, 9*s*. per week were paid; but at Christmas, when an idea that there was no corn in the country, and that there would be a famine, induced a rise in the price of corn, the labourers were paid 10*s*. per week. This farmer was continuing to pay that price at the present moment. In Cambridgeshire and in Suffolk it was a very usual thing to pay the labourers at the rate of a peck of corn daily, and therefore the labourer could mark his wages by the sale of a peck of corn; and the same custom extended to every sack of flour, wages rising 6*d*. per week for every rise of 5*s*. a sack—the labourer's means of buying food increasing with the price of flour. He could assure the House, that he had received his statements from men of the highest respectability. They were men who said that their neighbours acted upon the same principle. The farmers invariably found, that after a plentiful harvest, wheat sold as low as 16*s*. per coomb, and flour as low as 1*s*. per stone. He begged pardon for trespassing so long on the time of the House; but he hoped that the farmers would not again be aspersed in the way they had been.

Sir R. PEEL rose to explain: What he had said, and he thought proved, in speaking of the agricultural labourers was, that their wages in certain counties which he cited examples of, which with all the communications which had been received by the Government on the subject, he offered to place in the hands of honourable Gentlemen if they wished to be supplied—what he had said was—and he had also laid upon the Table returns for the last thirty years, and from certain agricultural counties—that, he thought, proved what he said—that the wages of the agricultural labourer did not vary in a direct ratio with the price of corn. He was speaking then of agricultural labourers only, and he thought he had proved his assertion to be founded in fact. But in speaking of the manufacturing and not of the agricultural labourer, he (Sir R. Peel) said he thought he could show that at many times and in many cases the wages of the manufacturing labourer had varied in an inverse ratio to the price of corn. That was the statement which he had made.

Mr. HUDSON said, that after the fullest consideration, and after having listened most attentively to the arguments put forward upon that question, he felt bound to tell the House and the country that he still entertained the views he had formerly expressed, as to the impolicy of the measure then under their consideration. He agreed with the right hon. Baronet that the wages of labour did not always vary with the prices of wheat. He admitted that the price of labour, like that of every other article, was a question of competition. It was well known, that whenever we were threatened with large importations of foreign corn, capitalists became unusually cautious in affording accommodation to the public; and the consequence was that less money was spent in the payment of wages. He did not believe that the passing of the measure of the right hon. Baronet would put an end to that evil. He felt persuaded that the effect of the measure would be rather to diminish than to increase the demand for labour. In his opinion, therefore, it was peculiarly a labourer's question; it was a question of competition with the labour of foreign countries. The right hon. Gentleman the Member for Halifax (Mr. C. Wood) had said that that had been argued as a question of rent. But he confessed that he should be ashamed to argue it as a question of rent. The great question at issue was, whether the cultivation of the land should be continued in this country, or whether we should depend on foreign supplies for our consumption. Holding, as he did, a strong opinion of the resources of the corn-producing countries of the Continent, and of their capability of growing corn at a much less expense than the cost of raising it in this country, he felt that the proposed change was one which would affect to a very considerable extent the demand for labour. If he were convinced that our agriculturists could compete on fair and equal terms with the agriculturists of foreign countries, he would not for one moment stand in the way of carrying that measure. But, as he felt assured that the tendency of the measure would be to throw large quantities of land in this country out

of cultivation, he felt it his duty to offer to it his most strenuous opposition. He did not wish to show any peculiar favour to the agricultural interest; he stood there as the representative of all the interests—agricultural, manufacturing, and commercial of this country. They had been told by the right hon. Baronet the Secretary of the Home Department that certain noblemen felt no alarm at the passing of that measure. Now, it might be very true, that noblemen like Earl Fitzwilliam and the Earl of Derby, with their 50,000*l.* a year, might very well afford to lose a portion of their incomes; but a change which might easily be borne by great landed proprietors might seriously affect the small holders and the tenant farmers of this country. If the landlords were the only parties interested in the question, he, for one, would not stand up to advocate their views upon that occasion. It had been said that the Corn Laws had not answered the purpose for which they had been framed. Now, he conceived that they had been framed for the purpose of securing the farmers of this country against foreign competition in years of abundance and of fruitful harvests; and he certainly could not see how they had failed in accomplishing that object. It had been alleged that considerable excitement prevailed in the country in favour of the proposed change. He would, however, venture to say that there had never been a measure of such importance submitted to Parliament which had been received so quietly by the country as the measure then under the consideration of the House. He thought that that absence of excitement was extremely creditable, as it very strikingly manifested the moderation and good sense of the people at large. He looked upon this as a great speculation. It was possible that it might answer; but all those indications which usually encouraged speculators to persevere were wanting on this occasion. Land, for some time after the war, no doubt, was much depreciated in value; but within the last ten or fifteen years, since the year 1833, agriculture had improved to a degree such as the most sanguine never could have anticipated, and was now in a most flourishing condition: how dangerous, then, how bold a step was it to take, to interfere with a state of things under which the riches and power of the country were steadily increasing, without the proof of any great public necessity! He believed that there never was a period when this country was so abundantly supplied with the necessaries of life as at this very time. They had been told that there would be a paucity of cheap bread, and that it would be in fact impossible to obtain a sufficient supply. Before this Bill received the Royal Assent—if it was ever to receive that assent—he would venture to say that they would have in bond at least two millions and a half quarters of corn. The party with which he acted had been charged with delaying this measure; but he doubted if that delay had proved injurious either to the interests of the farmer or of the community. He was by no means certain that the revenue would not be benefited by the delay. Were they quite sure that they were about to let in wheat at 4*s.* a quarter? He thought, on the contrary, that the late fall in the market afforded an indication that before this Bill received the Royal Assent, they would receive a considerable accession, in the way of revenue, from the fall in prices. Injury might, undoubtedly, be inflicted on a few individual speculators; but it was the business of this class to take the chance of war. The measure had been called great and comprehensive; but to him it appeared a very one-sided scheme, purely affecting the agricultural interest, without doing them a single act of justice, or relieving that interest from any of the special burdens under which it laboured. When they determined to deprive the English agriculturist of protection, they ought at least to have placed him on an equal footing with the foreigner, so as to have given him a fair chance in the competition which they were about to force upon him. It had been said, that the delay had paralysed the trade of the country. His only wonder was that the stagnation had not been greater. What must be the practical effect of a measure like this? The banker looked cautiously to his security, so that it was impossible for the farmer to obtain any advances from him; and the mortgagee became anxious as to whether the property by which his advances were secured, would be competent under the alteration which had taken place, in circumstances to meet his demands. The right hon. Baronet had said in 1835, when 39*s.* was the average price of wheat, that he was not prepared to assert that it would have been cheaper under a system of free trade. He apprehended, however, that the right hon. Baronet was in error in making this assertion; for we should, no

doubt, under a system of free trade, have had many additional millions of quarters of corn in the country, which must have been got rid of at some price. The quotations which he had made on a former occasion, relative to the price of wheat, had been much questioned; but since he had made that statement he had received many communications from other parties engaged in transactions connected with corn fully corroborating it, and expressing their surprise that the House of Commons was not better informed on the question they were legislating upon, as the question of price was a most important element in the consideration of the subject. He had received a letter from a practical man, long resident in the East Riding of Yorkshire, one of the most fruitful districts in existence, with whom he was entirely unacquainted, and who had communicated with him solely in consequence of seeing the report of his speech in the papers. His correspondent stated that the average price of wheat was, at Burlington, 38*s.* 10*d.*, barley, 21*s.* 8*d.*, oats, 18*s.* 5*d.*; so far from any sign of famine manifesting itself. He also stated that, with a continuance of the present fine weather, instead of having a famine in May, they would require another market to get rid of their produce. This was the letter of a man who had been for forty years largely engaged in the corn trade; and what he had foretold had actually taken place. Surprise was expressed when statements were made that foreign wheat had been purchased at 25*s.* per quarter; but there were persons at Hull and Newcastle who had purchased it at 18*s.* per quarter. It was said that farmers were quite willing to take farms at as high a rent as last year. Now if this were the case since the present measure was proposed, it must have altogether arisen from the confidence which the tenant-farmers reposed in the landowners. The farmers knew that if Sir R. Peel's measure passed, and that the price of their produce was ruinously reduced, the landlords of England would not hesitate to make a corresponding abatement in the rent. But he doubted this indifference on the part of the farmers, to the measures of the Cabinet. He had let some farms himself since the free importation of corn was proposed to Parliament, and he must say that the farmers expressed very great hostility indeed—some of them were even thinking about selling off their stock, and embarking in some other business; but he felt it only right to tell these farmers, that in case Sir R. Peel's measure passed, and that it was attended by the disastrous results which he anticipated, that he would make a corresponding reduction in his rents. [Mr. ROEBUCK: That must be generally done.] He did not think it quite fair that he should be interrupted, although, indeed, he could hardly wonder at the interruption on the present occasion, considering the quarter whence it proceeded. The hon. Member for Bath did not hesitate to interrupt any man; but he could assure him that no interruption from him would in the least put him out of his course, or hinder him from expressing his views to the House. If the measure should be passed, some relief ought to be given to the landed interest commensurate with the loss it would sustain, and the taxes it had to endure. He must say, that he did not think it fair that the fundholders should remain untaxed, whilst the landholders of 300*l.* a year were paying 75*l.* in the shape of highway rates, poor rates, and county rates. He would not attempt to lay down any plan—that would be presumptuous in him—but he sincerely hoped that full compensation would be made to the landed interest. If the measure should pass, and be attended with the results which they believed it would, they would have the satisfaction of reflecting that they were no parties to it—that they were not the speculators—that they were not provisional committee-men—that they had raised their voice against it, believing it would prove injurious to all, but especially to the humbler classes of their fellow countrymen, who were least able to endure the ruinous competition it would induce. If, on the contrary, it succeeded—if their fears were happily disappointed, and the hopes of its projectors realized, none would rejoice more sincerely than that party to which he had the honour to belong—that party which, believing it would prove injurious, had felt it to be their duty to give it all the opposition in their power.

The MARQUESS of WORCESTER said: I assure the House I would not have intruded myself on its notice, if my constituents, who belong to the manufacturing as well as to the agricultural classes, did not express an earnest and almost unanimous desire that the measure should not pass. I have in my pocket, at this moment, a letter from a respectable person, which is a slight proof that what some of my hon. Friends had long since stated, that distress

in Ireland was exaggerated, and for which they were so much blamed, is not only probable, but strictly true. The letter I allude to is dated the 1st of May, from Bristol, and it sets forth that a vessel bearing sixty tons of potatoes had arrived there from Baltimore, and that another vessel was daily expected. This letter likewise states that a vessel containing sixty tons of potatoes, was about leaving Kinsale for the same port, in a week after date. Now, Sir, if this statement be true, and if the distress in Ireland really exists, I really think it is the duty of the Government to take measures to prevent this exportation. It seems rather strange to be complaining of famine in a country whence food is daily exported. I am opposed to this measure, not only because I think it is bad in itself, but because I am of opinion that the farmers who have been suffering from the late Tariff are altogether unable to bear this additional infliction. If the Government will not only glut our home market with foreign cattle and foreign sheep, but deluge it with foreign corn, the English farmers will have no resource whatever left. [The noble Marquess read a return of the quantities of cattle weekly sent to the English market from Holland, Germany, and Prussia.] But, Sir, I can hardly wonder at the measures of the Government, seeing that it is their design to make this a manufacturing country solely. The right hon. Baronet the Secretary of State for the Home Department, avowed his opinion, that this country is no longer to be considered as an agricultural country. [Sir JAMES GRAHAM: What I said was, that this country is not to be considered exclusively agricultural.] Well, Sir, I must say, that I do not recollect that word "exclusively." I thought, Sir, the right hon. Baronet's words were "agricultural country," and not an "exclusively agricultural country." I must say again, that I so understood the right hon. Baronet, and that he is so reported. I think that both the right hon. Baronet at the head of the Government and the Secretary of State for the Home Department are doing their best to prevent this country being an agricultural country any longer. I think the sentiments of both right hon. Baronets do not differ much from those expressed by the hon. Member for Stockport (Mr. Cobden) who says, that the towns ought to rule the country. The sentiments may be expressed in different language, but both amount to this—that this country ought to be converted into one vast receptacle of manufacturers. The right hon. Baronet made another observation—namely, that the consumers, not the producers, were the people to be considered. For my part, Sir, I humbly think both classes should find equal favour in the eyes of the Legislature. It seems to me, that there is nobody the right hon. Baronet is so anxious to protect as the foreigners, for he will have their produce poured into our markets, irrespective of the loss which our farmers must incur by being subject to a greater cost of production. I think the right hon. Baronet will find, that if he carries out his principle—but he is not very fond of carrying out principles—he will find, that the manufacturers will be as much opposed to its full development as the agriculturists now are; and that they will mourn the day when they first lent their assent to these schemes. I have heard it said, that the farmers are indifferent to the progress of this measure. I have received a letter from one of my constituents, a most respectable and intelligent farmer; and in answer to a query as to what the opinion of the farmers is, he says—

"If those who believe the farmers are for free trade or indifferent to it, were at Cirencester market last week, they would be speedily undeceived, for they would have heard many farmers cursing the Minister for his measures and for his double dealing."

I must say, that I have heard precisely the same feeling expressed by the farmers myself in ten or fourteen different market-places. I believe other hon. Gentlemen near me heard the same language expressed. Some hon. Members, who sit behind the Treasury bench admit that they regard this as a very hard and injurious measure, but still that they have so much confidence in the right hon. Baronet (Sir R. Peel) that they will support it. Well, Sir, I cannot understand this reasoning. I prefer looking to the measures, and considering their tendency, irrespective of those who bring them forward. It appears to me, to use a familiar illustration, that the First Lord of the Treasury resembles a jockey who was put up to ride a great race, but who pulls up his horse in the midst of it. The right hon. Baronet was put up to ride the race of protection; but, Sir, he has pulled up his steed, and not merely allowed his opponent to triumph, but has actually ridden the race of free trade himself. Whether he will be victorious or no is another matter.

Mr. M. GORE wished to make a few remarks before this matter was finally settled by the House. He must first be allowed to say, that in some of the observations which had fallen from hon. Gentlemen who took a different view from that which he entertained, he fully concurred. He concurred with them in holding that no party had any right to complain that this matter had been so fully and maturely debated; and from the discussion which had taken place, one good effect had, he thought, arisen, that, whatever might be the opinions of individual Members as to the merits of the Bill, it proved to the country that those who moved in the higher circles did possess that candour and that superiority of intellect which under all circumstances, and at all times, he trusted they would maintain. The discreet and temperate way in which hon. Gentlemen had advocated the cause they had embraced, merited every commendation. He differed from many hon. Gentlemen who had spoken as to the apprehensions they entertained of the effect of this measure on the interests of agriculture. He should first allude to some remarks which had been made by a tenant-farmer who had gone to Russia a very great protectionist, and labouring under the impression that Russia and Prussia possessed an unlimited supply of corn. But after he had acquired experience, he became satisfied that the people possessed neither knowledge nor means to enable them so to conduct their agricultural operations as to inflict injury, by their competition, on the British farmer. That gentleman stated a variety of circumstances in corroboration of his opinion. Agricultural operations he described as being in a very primitive state, and the agricultural implements in use were of a very rude structure.

"The consequence is," he observes, "that the lands, for want of strength to till them, look poverty-stricken and neglected, and must, under any circumstances, require an immense outlay of capital to improve them, independently of the energy and skill required to overcome the difficulties as regards the shortness of the season during which anything connected with the improvement of the soil can be carried on. The earth is closed against all cultivation for seven months of continued and severe winter. One month of the year may be divided into spring and autumn, and four months into extreme heat of summer."

As to the chance of extensive pastures being taken into cultivation, he stated that they were so exposed to snow storms that the greatest possible obstacles existed to the successful adoption of such a course. He says—

"It may be thought that these pastures may be cultivated in case of a market for corn in England. But this cannot take place, since they are subject to violent snow storms, which drive everything before them. Such is the power of these hurricanes of wind and snow, that cattle, when these are approaching, if not prevented by the herdsmen, take fright and run into ravines, where they are smothered. Besides, these lands are subject to the visitation of locusts; and the effects of severe drought in the summer, increased by the continuous wet to which they are subject in the winter."

He mentioned various other details, and stated, that in some parts of Prussia the wages of agricultural labourers were greater than those of the same class in England. Those were the remarks of a tenant-farmer who went abroad with very different opinions, and who altered his views in consequence of what came under his own personal observation. As to America, he (Mr. M. Gore) was also of opinion that the production of grain there had been greatly overrated, and that there was no reason to anticipate any influx for many years, such as would prove prejudicial to the agricultural interest of this country. As to grain in America, it appeared from official returns in 1840, ascertained by the persons appointed to take the sixth census, that the total produce of the Union was—

	Bushels.
Wheat	84,832,272
Barley	4,161,501
Oats	123,071,341
Rye	18,645,567
Buckwheat	7,291,743
Indian corn	377,531,875
Total	615,515,302

He had received a communication from a gentleman in the City on the same point; it was as follows:—

"In reply to your inquiry, the exportation of flour from New Orleans is about 400,000 barrels in good years, and 200,000 barrels in ordinary years. No wheat is exported from the United States worth mention. The total average exportation per annum does not amount to 45,000 quarters for the last thirteen years, 1831 to 1843, both inclusive, and this is principally sent to Canada, and is a trade likely to increase in that quarter; but experience has proved that flour is the form in which the cereal product of America must be conveyed to Europe. The average exportation of flour for thirteen years does not quite reach 1,000,000 of barrels annually from all the States of the American Union collectively; it is 997,771 barrels exactly (1831 to 1843 inclusively). Of this quantity 225,000 barrels went on the average annually to Great Britain; 175,000 to British America, Canada, and Newfoundland; 135,000 to the British West Indies; 80,000 to Cuba; 170,000

to Brazil; being 785,000 barrels; and 215,000 barrels went to other places on the American continent. But it is quite apparent that the average exportation from America into Europe does not exceed 400,000 barrels annually; each barrel contains 196lbs. net weight of flour. For six consecutive years the export of flour from the United States to Great Britain did not amount altogether to 55,000 barrels, or an average of 9,000 barrels per annum, and they were the years 1833 to 1838 inclusive. In the year 1843 there were only 14,000 barrels shipped from the United States to Great Britain. Nothing is more difficult to answer with satisfaction than the American part of the corn question; but my impression is, that experience being better than prophecy, we may take the export of the past as a guide for the future, and say that America may furnish to Europe about 500,000 barrels of flour from the United States, and the same quantity from Canada to Europe. All the rest is absorbed by American wants, the West Indies, Newfoundland, the Brazils, Cuba, St. Domingo, and all the hot countries where wheat will not grow; and also to supply her mercantile marine all over the world. The price at which flour could be furnished I cannot possibly say, but it has hitherto cost over 30*s.* per barrel in Europe. When the price is under this rate we find supplies fall off."

He (Mr. M. Gore) might be permitted to say for his own part, with the view he took of the question, that if he thought any very great inconvenience was likely to result from the importation of corn either from America, or from the continent of Europe, he should hesitate very much before he gave his consent to the Bill. He should next lay before the House a statement in reference to the continental markets. It varied in some respects from that of Mr. Macculloch, who stated the average prices of wheat in Dantzic, for eleven years, ending with 1841, at 37*s.* 11*d.* a quarter, which, adding 10*d.* for shipping charges, made the average price, free on board, 38*s.* 9*d.* a quarter, and adding 12*s.* or 13*s.* for importation and delivery to millers in London, the average cost of Dantzic wheat in England, free of duty, was from 51*s.* to 52*s.* a quarter. Such was Mr. Macculloch's statement. He held in his hand various tables which had been furnished to him by Mr. Body. They gave a statement of the wheat and flour shipped from Dantzic to this country for the twelve years ending 1843: also the prices and the freights for a number of years. In some years the prices certainly appeared low—sometimes not 33*s.* or 34*s.*—but then the shipments had fallen off exactly in proportion. It appeared that as prices had fallen, shipments had also fallen off, except in 1836—in explanation of which Mr. Body says—

"The exportation from Dantzic in 1836 was almost entirely speculative, and consisted of parcels which had been purchased in Dantzic in the two or three years previous, but not shipped. The quantity is not large, compared with the latter years of large export. The wheat was brought here on speculation, and a very large quantity of it was shipped to America in the years 1837 and 1838. I sent over a large quantity myself. We were tired of letting the wheat lie at Dantzic, and so we brought it over here, and after keeping it here twelve months we shipped a great part of it to America (the whole proceeding was an episode), and much money was lost by it. The quantity stated in our Dantzic corn return of exports is in lasts, each last containing ten quarters. I beg respectfully to call your attention to this; we consider 90,000 quarters the quantity sent from Dantzic in 1836 to England, in any year, and under the most unfavourable circumstances, to be a very small speculation indeed. The authority for the prices paid at Dantzic is the highly respectable firm of Theodore Behrend and Co., of Dantzic; and we can confirm the same from our actual experience. The same house furnished the quotations of the course of exchange; and the same house procured from Mr. Retz, the sworn broker and official officer of exports (*schiffs abrechner*, as he is called), the quantities exported and the rates of freight. All these documents passed through the hands of Behrend, and there can be no doubt of their authenticity. But the same parties who were so willing to give information when it was considered to be a piece of statistical news only, are now very averse to give further information, because they, in Dantzic, look upon the change in the Corn Laws with great aversion. If you ask at Dantzic what they prefer, they will all say, 'the old sliding-scale.' If you ask at Warsaw, they will say, 'free trade.'"

The prices of grain from Odessa were stated in the circular of a house in Leghorn at 33*s.* to 35*s.* But the quality was very inferior. It might be said that, though the introduction of such grain would not affect the interests of those who grew good corn, it would affect the interests of those who grew inferior grain. He had seen specimens of the foreign grain of which such apprehensions were entertained, and, really, it was such miserable stuff that he did not believe they would get people to consume it in this country. At the same time, he was ready to allow that this great measure, like other great changes, would probably be attended with considerable inconvenience to various parties whose interests were concerned. He had made inquiries as to the feelings with which the measure was regarded by such parties, and he admitted at once that the opinions he had received were very various. A very considerable proportion took the same view with himself, that there was no ground for apprehending a large importation of foreign grain. Others took a different view; and he might be permitted to refer to the opin-

ion of a gentleman whose authority was of great weight—Mr. Wiggins. That gentleman thought that the change would have some prejudicial influence, which, however, would be but temporary. Speaking generally, the result of the inquiries he (Mr. M. Gore) had instituted was, that the agriculturists were excited far beyond what circumstances at all justified as to the consequences of this measure. The farmers were a great support and an ornament to the country; and he was sure there was no Gentleman on either side of the House who would not sympathize with them, and endeavour to do everything to prevent their interests from sustaining injury. While he did think that this measure would exercise but an inconsiderable influence upon those interests, he trusted that the good feeling of the English landlords would lead them to keep in view the position in which their tenantry were placed; and, what was of the greatest importance, give them good advice as to the cultivation of their land; so that landlord and tenant might stand on a better footing than for some time past. If the small farmers were removed and capitalists substituted, cultivation might be carried on possibly to greater advantage; but though he trusted that the result of the proposed change would be the introduction of a better system of farming, he hoped that everything would be done in a kindly spirit towards those who were engaged in the cultivation of the soil, and that no course would be pursued which did not conduce to the comfort and happiness of those invaluable classes. The effect of the measure on the condition of the labouring classes was an important point for the consideration of the House. There was a great rise of prices between 1792 and 1801. Mr. Tooke says—

"Arthur Young, in his *Annals of Agriculture*, observes, that a person is now living in the vicinity of Bury who, when in 1792 he laboured for 5*s.* a week, could purchase with that 5*s.* a bushel of wheat, ditto of malt, a pound of butter, a pound of cheese, and a penny worth of tobacco; in 1801 the same articles cost—

Bushel of wheat	£0	16	0
Ditto of malt	0	9	0
1 lb. of butter	0	1	0
1 lb. of cheese	0	0	4
Pennyworth of tobacco	0	0	1
	£1	6	5
Suppose in 1801 his wages were	9*s.*	0*d.*	
Suppose as a pauper, from rates	6	0	
Total	15	0	

So that to enable him to purchase the same quantities he procured when his week's wages were 5*s.*, it would now require 11*s.* 5*d.* more than his wages and the parish allowance altogether. The comparison is," says Mr. Young, "fair as far as it goes, because the extreme in both cases, the very lowest in the first, and the very highest in the last."

There was a rise in artisan and manufacturing labour between 1792 and 1801, but in a small proportion only to the rise in the prices of necessaries. Various statements were put forth by different classes of artisans at that time setting forth the inadequateness of the rise of wages, including the most recent advance in 1801. Among other statements, was one from the journeymen tailors, by which it appeared that their wages from 1777 to 1795 had been 1*l.* 2*s.* 9*d.* per week, which, at the price of 9¼*d.* for the quartern loaf, would purchase 36 loaves; while the utmost advance of wages which, in 1795, was to 25*s.*, and in 1801 to 27*s.* per week, would purchase only 18 loaves and a-half in the latter year. A statement from printers' compositors, whose weekly wages were advanced from 24*s.* to 29*s.* in 1795, and to 30*s.* in 1801, gives a similar result in the disproportion of the advance of wages to the rise of necessaries. By the Greenwich Hospital table, the wages of carpenters, bricklayers, masons, and plumbers, appeared to have experienced very little advance, according to the quotations of 1800, as compared with the 20 years preceding, viz.:—carpenters from 2*s.* 6*d.* to 3*s.* 2*d.* per day; bricklayers from 2*s.* 4*d.* to 3*s.* per day; masons from 2*s.* 8*d.* to 2*s.* 10*d.* per day; plumbers from 3*s.* to 3*s.* 3*d.* per day. He believed that the present measure, like many other measures that had been brought forward, was overrated on both sides as respected its consequences. He, for one, did not believe that it was to make bread wonderfully cheap, or that it would materially depress domestic agriculture. As in the case of all great changes, some inconveniences must probably at first result; but he conceived that the measure would ultimately tend to increase the comfort, promote the happiness, and advance the prosperity of the great mass of the inhabitants of this mighty kingdom, and that it would contribute very much, coupled with the resources of modern science, to stimulate and foster agriculture. He believed that there existed in this country a spirit, energy, and activity, that would in future make it as superior to the rest of the world in agriculture and manufactures as it hitherto had been; and that the native zeal and enter-

prise of Englishmen would advance the science of agriculture to greater perfection than ever. But while he supported this measure, and intended to record his vote in favour of the third reading, he might be allowed to express a hope that those other measures which were alluded to at the commencement of the Session, and which were, he would not say to compensate, but to be of great utility to the agricultural interest, would be brought forward at as early a period as possible. Though he did not think that the agricultural interest required protection, yet he felt that it was their bounden duty to look at it with a kindly feeling, and to extend towards it every aid and assistance in their power. There was one circumstance worthy of attention with respect to the sale and transfer of property. That champion of protection, Mr. Alison, in his work on Population, pointed out the difficulty in the sale of estates, and the transfer of property, and the great advantage which would result if measures were taken to remove this inconvenience. As regards Ireland, there would be few circumstances more advantageous than the removal of such inconvenience, coupled with the extension of the tenant right, due regard being paid to the rights of property, which ought always to be held sacred. He would not now enter into further details on the subject; but he would add he should grieve, as much as the bitterest opponents of this measure, at its passing, if he thought that it could, in the remotest degree, tend to injure the agricultural interest, or the aristocracy, whose prosperity was identified with that of the nation at large. The aristocracy were eminent for the zeal they had displayed in behalf of the liberties of the country ; and who could fail to respect and reverence their manly sentiment, their heroic spirit, and their sensibility of principle, in which, as Mr. Burke justly observed, consisted the cheap defence of nations? He should then much grieve if his vote to-night should shake the stability of this aristocracy, whose fate he believed to be inseparably connected with that of the country, which was deeply rooted in the affections of the people, and embodied in the institutions of the country. He thought the manner in which the present discussion had been conducted reflected the highest credit on the Legislature of this country, however great the difference of opinion respecting its policy might be. He was not unaware that great constitutional questions sprang out of it. The evil arising from the breaking up of a great party had been touched on; and though he might hold that that was but a temporary disruption, he would yet allow that in this country it was a great evil. In a constitutional point of view he would rather that this measure had been brought forward by the noble Lord the Member for London ; and he for his part, would then have supported it as warmly as he now did when brought forward by the right hon. Baronet. He supported it not merely from a feeling of confidence in this or that Minister, but reflection on the nature of the question had induced him to come to the conclusion at which he had arrived. And with respect to the future state of parties in this country, he trusted that with most of those who valued the real interests of the country, it was immaterial what party ruled the State. It was, as Mr. Pitt truly said, in one of his earliest and best speeches, of very little consequence who were "out," or who were "in ;" but it was of great consequence that the affairs of this country should be conducted with wisdom, prudence, and firmness. He, therefore, trusted that whatever might be the fate of this measure, there still might be found a Government powerful and strong ; able to uphold the interests of the country at home, to enforce them abroad, and determined, amid whatever storms and tempests might rage, to maintain the majesty, the dignity, and the greatness of England.

MR. LAWSON said, that he knew that in the agricultural district with which he was connected, whenever corn was not prosperous, then the districts invariably suffered and declined, both as regarded the manufacturers and agriculturists. In his part of the country there was the greatest fear and apprehension, and in fact a great panic existing, as to the present measures of the Government ; and on no occasion before had he ever found such unanimity of sentiment amongst all classes, and of different politics, in thinking that that principle of protection to native industry ought to be upheld. He had had the honour of presenting petitions from fifty to sixty townships in his own neighbourhood, and from the borough which he represented, signed by persons of all classes, praying the House not to pass these measures, and he now rose for the purpose of vindicating the opinions therein expressed. Whatever alteration had taken place in the sentiments and opinions of those holding high offices in the Government of this

country, it did not follow that even so humble an individual as himself should also consent to change his opinions upon this question, as they had changed, with a view of following in their train. He could not consent to alter those sentiments and opinions which he had entertained up to this period of his life at the beck of any individual. He wished to know what would be the price of corn if the Bill before the House passed into law? On that point the Minister had given them no information? He objected to the Bill because it would increase the dependence of this country upon foreign nations. He objected to it also because it had been introduced by the men now in office. If he had any predilection in its favour even, he would not give it his support, because he was of opinion that it should not be brought forward in a Parliament which had been elected upon an entirely hostile principle. He, for one, did not admit that it was a measure which would produce good fruit. Fruit it might produce, no doubt—apparently good at the outset; but the House might depend upon it that the prices would soon rise to the famine figure. And if there was good in it, there would be no hope of its extinction until all the small farmers of England would have been ruined. Corn would get into the hands of the factors, who would accumulate it for the purpose of obtaining the highest possible price; and thus the public would not be benefited in the slightest degree, while the agriculturists would be destroyed. With respect to the price of potatoes, on which so much had been said, as far as his knowledge went, the alarm that existed on that head was entirely groundless. In Yorkshire, he had never paid more than 2*s.* the bushel for them, whereas, in London, he was now charged 15*s.* per sack. And when potatoes were sent upon speculation from Yorkshire to London, no one could be found to purchase them, because of the monopoly which existed among the large salesmen. He was not prepared, therefore, to support Her Majesty's Ministers on this occasion. He had no confidence in them. He had no faith in the stability either of their opinions or their policy; and he candidly stated that, if agitation were suffered to continue at the rate it had been in Ireland, he should not be surprised to find the right hon. Baronet come down one day to that House and propose a repeal of the legislative Union.

Mr. VERNON SMITH said, he should not detain them long. He was fully aware that hon. Members felt a satiety, if not sickness, at the prolongation of this discussion. Only one valuable result had ensued from this discussion, that whereas on former occasions the two great interests of agriculture and manufactures had been arrayed against each other—the agriculturists reproaching the manufacturers as having for their only object to depress wages and raise their own profits, the manufacturers upbraiding the agriculturists with a wish to keep up prices and raise rents — now, on the contrary, whatever acrimony might have been exhibited in the course of the discussion, had been diverted into the more legitimate, and he might say constitutional, channel of abusing Gentlemen in office. The absence of those divisions on the present occasion he was inclined to attribute to the course pursued by the hon. Members favourable to a repeal of the Corn Laws, who had abstained from addressing the House, and from delivering those attacks they had formerly directed against the agricultural interest. He was far from regarding this measure, with the hon. Member for Sunderland, as the wildest and maddest of all conceivable speculations; but it was impossible not to see that in any measure like this, there must be some speculation and some inconvenience. Although it seemed now to be the prevalent doctrine on that (the Opposition) side of the House, that the most manly course to be adopted was to change one's opinion, and defend the change, he could say that his own opinion had always been in favour of a change in the Corn Laws. He should not on this occasion, enter into any statistical details; he should support his vote on those general reasons on which, after all, a measure of this kind must be rested. He did not believe that any country in the world would be found capable of supplying this nation with its chief article of food; all the elements that produced a rise in prices would combine to raise the price of foreign corn to us, and therefore to save the agricultural interest from injury. As little could he think that a country like ours would not be able to improve its agriculture—an art yet in its infancy. In that art practice had hitherto preceded science; but science was now about to take the lead of practice, and point out the methods which the husbandman should follow. His only reason for addressing the House on the present occasion was, that he wished to point out one

or two features of the measure which he considered objectionable, and would prefer to see changed. He regarded the position of the hon. Member for Newcastle under Lyne as a very good one—that they should look on the one hand to the arguments by which this measure was supported, and on the other hand to the political evils by which it might be attended. If any speculation or hazard attached to this measure, the hazard would fall on those persons who were now in the occupation of the poorest possible land, subject to the highest possible rent; land which, he contended, ought never to have been cultivated, and which never would have been cultivated, but for the protection which our laws had for years afforded it. There were other persons who might say, "You have always told us that we had nothing to fear from competition, and therefore that we might be as lazy and unskilful as we pleased;" and they might reproach the Legislature with having cut off their security. He was of opinion that this difficulty might have been met by an arrangement of the laws affecting the agriculturists, had such been undertaken by Her Majesty's Ministers. Besides the Corn Laws, there was another set of Acts which had been brought by the negligence of the Legislature into such a state as pressed most unfairly on the agricultural interest—he meant the Acts which referred to local rating. He thought that, simultaneously with the repeal of the Corn Laws, Ministers might have introduced some measure which would relieve the agricultural interest from a considerable portion of the local taxation. They had introduced a measure which they said was not intended as a compensation for the repeal of the Corn Laws; but if it were not so intended, it was rather strange that it should have been introduced at the same moment. This he considered quite incompetent for what, but for the denial, he must have supposed to be the purpose of Her Majesty's Ministers; and he should still urge on Ministers to consider the question of compensation, and to embrace the whole question of rating in their view, in order to see where the agricultural interest were most heavily pressed; for that they were pressed to a certain extent, he thought could not be denied. Every year there was an Act passed to relieve stock in trade from being rated to those purposes for which land was rated. Why was this done? Not, it was said, because stock in trade was an improper subject of rating in itself; but on account of the extremely embarrassing nature of the attempt, and the difficulties which attended the levy. Now, if they did not think it expedient to levy a rate on stock in trade, it was surely unfair to the agriculturists to increase in the same proportion the amount levied from them, and subject them to an additional burden. That Act was first passed when a judgment was given in favour of rating stock in trade; and he thought, therefore, the agricultural interest had so far just ground to complain of the way in which they were treated. Whether this were or were not a sufficient argument to induce Ministers to undertake this subject, he thought it a question still worthy of their consideration, and one so coupled with the present state of the agricultural interest, that there could be no more fitting opportunity than the present for bringing it forward. Another point to which he wished to advert, though it was rather unfashionable in the House, was the question of a low duty on corn. In throwing aside that question entirely, the right hon. Baronet had surprised him more than by any other course he could have pursued, because if there were any basis on which the right hon. Baronet's fame rested, it was his financial skill. He thought it strange, therefore, that the right hon. Baronet should have been content to surrender the revenue he might have derived from that plan. He felt himself obliged to conclude, in spite of all that could be said by hon. Gentlemen around him, that if Government had thought fit to ask, in the first instance, a low fixed duty, they would have been able to carry that measure, and to raise a revenue on as favourable terms as it could be raised in this country. He could not but believe that a low fixed duty would have been paid entirely by the foreigner, and not by the consumer; and if so, no Ministers had made a greater sacrifice than the present in refusing to avail themselves of this source of revenue. The course taken in 1842 was to alter the sliding-scale; and that being so, he considered the only alternative offered to him was between a sliding-scale and entire abolition. He had, therefore, voted for the Motion of the hon. Member for Wolverhampton; but at the same time he thought, and he should not hesitate to maintain, that the right hon. Baronet had abandoned a considerable amount of revenue, in throwing aside altogether the question of a low fixed duty. He most sincerely hoped that the measure might attain complete success; but

he must say that the right hon. Gentleman himself had brought it into a position of great difficulty, by alleging in its behalf pretences which he could not think well founded. Of all times and periods in the recent history of our affairs, the right hon. Gentleman ought to have chosen for proposing his measure one of the utmost prosperity. He must contend, having always been an advocate for repeal, that that time had arrived in the summer of 1845. Never, in his opinion, had there been a season of so great prosperity, both for trade, agriculture, and manufactures, as was then exhibited in this country. But the right hon. Baronet chose instead the autumn, and accompanied his proposal with a very different statement from that by which it ought to have been prefaced. The right hon. Baronet placed his measure on the ground of foreseeing a famine, when he ought rather to have brought it forward in a season of abundance and prosperity, thus taking a course in the highest degree dangerous to the future authority of their legislation; because, in avowing himself to be driven and hurried into it to escape from an emergency, the right hon. Baronet had not shown it to be the result of reason, but had held it up to the country as the result of risk, peril, and danger. And now he was afraid that if the right hon. Baronet succeeded, the success would appear to be owing to those incentives of which he ought never to have availed himself; and that if failure should ensue, as he trusted it would not, it would appear to be owing to the legitimate exercise of the constitutional privileges of a branch of the Legislature which he, for one, would be sorry to see exerted.

Mr. DISRAELI: Sir, the Secretary of State, in the speech he made on the first night of this discussion, reminded Gentlemen sitting on these benches, and professing opinions favourable to the protection of the industry of their country, that in the various and prolonged discussions which, during late years have occurred with regard to great commercial changes, they have, nevertheless, found it necessary to abandon many of the opinions they professed, and to give up many of those dogmas which they previously upheld. Sir, I acknowledge the fact. I believe that to be the necessary result of all discussion; nor can I understand the use of public discussion at all, if it be not correct erroneous impressions; or if at the conclusion both parties are to take refuge in the cry, that they have not changed a single opinion which they held before the question came under debate. Sir, I do not claim for myself—and I think I may venture to say none of my Friends around me claim—an infallibility in argument. We listen with attention and respect to every argument brought against the opinions which we advocate; and if we find that any argument thus advanced cannot be satisfactorily answered, we feel the necessity of no longer maintaining an opposite and untenable conclusion. But if this rule applies to our party, I think I could without difficulty show to the Secretary of State that it is a quality not peculiar to us. I rather imagine that some opinions loudly advocated and long ably maintained by hon. Gentlemen opposite—I still address myself to hon. Gentlemen opposite, for, though this discussion was commenced by Her Majesty's Government, I always remember who were really the originators of the ideas—I say I think that some of the opinions formerly advocated by hon. Gentlemen opposite are now no longer upheld, and are therefore to be placed in that category of abandonment to which the Secretary of State referred. I might begin with cheap bread. We heard a Minister of the Crown, a Member of the Cabinet, even in this year, in this important Session, when all the opinions of Her Majesty's Government must doubtless be so well matured and so well considered with all the advantage of four Cabinet meetings in a week—we heard a Member of Her Majesty's Government announce that the clap-trap cry of cheap bread was given up by all parties. The right hon. Gentleman seemed to hold it, as his noble Colleague the Secretary for Ireland did a few years back, as the "fugitive cry of a dying faction." Even the hon. Member for Stockport, the highest authority on this point, announced that the cry of cheap bread had never been his. Well, then, that is one great opinion abandoned. We shall presently find that there are others in the same predicament. I believe it is no longer maintained that our Corn Laws are productive of extraordinary fluctuations in the price of corn. And yet that was an opinion which was once very industriously disseminated in the country: one perpetually introduced into the discussions of this House; and which has unquestionably influenced the existing public opinion on the main question. Yet I believe it is now admitted that the tendency neither of the present, nor even of the late Corn Laws,

has been to produce extraordinary fluctuations in price. Well, that is another great opinion that has been abandoned. Then we were told that these same Corn Laws were the bane of agriculture. That opinion is certainly given up. We have shown you—and you have admitted the facts—from the evidence of the best authorities, the most intelligent valuers under the Tithe Commutation Act, and the most skilful land agents in the country—we have shown you that in England the average produce of an acre is twenty-eight bushels of wheat. We know by a report prepared by a public commissioner, that the average produce per acre in Russia is sixteen bushels; while we have evidence that the average amount in France is fifteen bushels. But I have got a document here which is very much at the service of hon. Members opposite. It is the Report in 1845 of the Agricultural Society of New York, giving the average produce of sixty-nine counties in that State, and it appears from this report that the average produce of wheat per acre in the United States is fourteen bushels. Does it then appear from these figures that protection is indeed the bane of agriculture? These statements show that England produces more corn per acre in a great degree than any other country. This, then, is a third opinion that has been abandoned. Again, there is another opinion which has been put forward with much pertinacity. It has been long loudly and diligently asserted that the population in this country increases in a greater ratio than its production. That opinion has been given up. You came down to the House and told us always that the population was increasing a thousand a day, or 365,000 a year, and after your fashion you assumed the country could not feed the people. We have shown you, or rather you have shown us, for it has been one of the circumstances adduced by the Minister in favour of his measure, that the price of wheat for years has regularly declined. If we divide the current century into three equal portions of fifteen years each, you will find the price of wheat lowest in the last division, so that while the population has been increasing in the ratio you allege, the means of production have been increasing in a still greater ratio; the population has been increasing in this degree, and at the same time the price of the necessaries of life has been decreasing. There is another dogma which has also much influenced public opinion; and that is, that our Corn Laws have produced hostile tariffs. This opinion also is I believe, now abandoned: every day's experience assures us, whatever may be the policy of the Government of this country, that continental nations and manufacturing countries are not to be influenced by it. But, according to the new school of philosophy, we need not dwell on this; it does not signify whether other nations are influenced by our liberal policy or not; we are quite independent of all such considerations. There is yet another opinion which I have observed frequently advanced in speeches out of this House; and speeches out of this House, be it remembered, have had much influence on conduct within it. It has been often urged at public meetings by the hon. Member for Stockport, whose speeches I always read with attention, that the amount of freight alone would be a sufficient protection to land. The hon. Member has been in the habit of assuring his audience that the average rate of freight was 10*s.* 6*d.* per quarter of corn, and that to this extent a protection was afforded to agriculture. I believe hon. Gentlemen have even made the same declaration in this House; and I believe had it been made in this House a year ago, we should all of us have believed it. Now, I doubt whether there is any freight that amounts to 10*s.* 6*d.* I doubt whether at present we pay 10*s.* 6*d.* per quarter even from Odessa. But generally speaking it is now universally admitted, that freight is no protection at all, for it is just as expensive to transport a quarter of corn from one English port to another, as to bring it from any of the contiguous foreign ports from which your chief supply is anticipated. I will say one word on a topic which I have already touched upon lightly, because I heard a cheer from an hon. Member opposite when I mentioned that the tendency of the present Corn Laws was not to produce great fluctuations in price. I do not mention these topics merely in retort to the Secretary of State, but because I think it not an inconvenient mode to clear the course of all collateral topics before I address myself to the main question. We maintain, then, with regard to the present and even the late Corn Laws, that they have not produced extraordinary fluctuation in price; on the contrary, we maintain that the fluctuation of price in England has been less than in any other country in the world. I will establish this fact on data that are incontrovertible. Understand I lay this

down as a fact, that every country, rich or poor, in Europe or America, has in respect of the important necessary of life, grain, been subject to much greater fluctuation in price than England. Mr. Secretary Gladstone recently moved for an important return—a return which I observe is never alluded to by hon. Gentlemen opposite. It is a return, from 1834 to 1840 inclusive, of the highest and lowest weekly prices of wheat per imperial quarter in most of the principal capitals of the United States. Now, I take one of these capitals, Philadelphia, because the peculiar circumstances of that capital tell the least for my argument. Philadelphia is the capital of one of the wealthiest and most populous States of the American Union; and it has this peculiarity—that it is a State that does not commonly produce sufficient corn for the supply of its inhabitants. It should be observed that little or no corn or flour was imported from America into England during the first five years of this period, and that the importation in 1839 and 1840 tended to raise the low prices of those years, and so to diminish the extreme limits of their fluctuation. Philadelphia, too, is a great mart of commerce, communicating freely with every region of the world, and its corn trade is free, being subject only to a moderate fixed duty; a moderate fixed duty of 8*s*. 8*d*. per quarter. Now, Sir, what are the facts? It appears by this return of Mr. Secretary Gladstone, that the average annual difference between the highest and lowest prices of wheat in Philadelphia is 47 per cent, while during the corresponding period in England it was only 33 per cent; and while the extreme difference between the highest and lowest prices of wheat in this septennial period was 270 per cent in Philadelphia, it was only 227 in England. And yet no septennial period could have been chosen which would have exhibited, under the operation of the Corn Laws, such extensive fluctuation of prices. It may be objected to this return that it only gives the extreme weekly prices of wheat, and it may be possible that local and peculiar causes may have had an effect on those prices. Well, then, here is a return of the average annual prices of wheat in Philadelphia from 1830 to 1838 inclusive; and I find the difference between the highest and lowest price of wheat at Philadelphia to be 121 per cent, while the corresponding difference during the same period in England is only 69 per cent. The returns from every considerable port and corn market in Europe have been analysed, and the result I find to be of exactly the same character. But it will be urged that the prices of corn abroad are disturbed by the action of our Corn Laws, and that we cannot form a correct idea of the price of grain when trade flows in its natural course. But this will not impair our argument. The noble Lord the Member for Lynn has anticipated this objection; and he says, "I will take rye, because that is the food of the continental people, and cannot be influenced by our Corn Laws, and I will show you equal fluctuations in the price of rye." Now, Sir, I also have a return of the prices of rye at Warsaw and at Dantzic. We have been told to-night that Dantzic is in favour of a fluctuating scale; but that at Warsaw they are devoted to free trade. Yet the difference in the annual price of rye during the years from 1834 to 1839, in the market at Warsaw, sometimes amounted to 149 per cent, whereas in Dantzic the difference was only 65 per cent. In all the great Prussian markets the difference during the same period between the annual prices of rye was 100 per cent. I think, therefore, we may fairly conclude that the objection urged against the system of graduated protection, with regard to its producing fluctuation in prices, is no longer an argument for this House. But I must remind the House that the instances which I have adduced, and the inferences which I have drawn from these instances, are under the influence of the late law—a law much more tending to fluctuation than the present. The scale of the late law was originally well devised. It was planned by Mr. Canning, but altered for the worse; let it always be remembered, altered for the worse by the present First Minister. If I had taken the experience of the present scale, the result would have been still more favourable; but the result being favourable enough, I am content with the former scale. It seems, therefore that some arguments have been abandoned by hon. Gentlemen opposite as well as by us. It is possible that both sides may have abandoned many important opinions without losing faith in the principles on which their respective systems are upheld. But I defy Gentlemen opposite who have had for years such free warren of sarcasm against the advocates of protection, to bring forward a catalogue of renounced opinions on the subject which can compete with the one I have sketched, and yet left imperfect, before the House.

What then are we to do with these opinions, these exhausted arguments, these exploded fallacies? Our great poet conceived the existence of a limbo for exploded systems and the phantasies of the schools. I think we ought to invent a limbo for political economists, where we might hang up all those arguments that have served their purpose, and which have turned out to be sophistries. Yes; but these are the arguments that have agitated a nation, and have converted a Ministry. It is all very well to say, after six or seven years' discussion, "We have discovered them to be false, and there is not a single Gentleman opposite prepared to maintain them;" but these are the agencies by which a certain amount of public opinion has been brought to bear on great economical questions; that public opinion has changed the policy of a Government, and, according to our belief, is perilling the destinies of a great people. Now, Sir, I must fairly acknowledge that one of these fallacies must be resuscitated by myself. Notwithstanding the high authority of the Secretary at War—notwithstanding the influential adhesion to his opinion of the still higher authority of the Member for Stockport, I must raise on this occasion the cry of "cheap bread." I do believe the effect of the present Corn Laws is to raise the price of the necessaries of life to the community. That is my opinion. But I believe, and I think I can show, that they increase in an infinitely greater ratio the purchasing powers by the community of the necessaries of life. I hope I am meeting the argument fairly. The Secretary of State did me the honour to say that I had, on another occasion, fairly expressed the question at issue, and I wish strictly to address myself to it. Now, how am I to prove my proposition? The first witness I shall call is a high authority. It is a work circulated under the immediate influence of that great commercial confederation, the power of which is acknowledged—written, I believe, by a gentleman who was once a Member of this House, and I believe I may add, who would have been a Member of this House now if I had not had the pleasure of beating him in the first election I won—Colonel Thompson. In his *Corn Law Catechism* it is maintained that the Corn Law is a tax upon the community, because, assuming a certain number of quarters of corn are produced every year in this country, say, for instance, fifty millions of quarters, the Corn Law, by artificially raising the price of that corn 8*s.* or 10*s.* per quarter on an average, acts as a tax on the community, we will say, of 20,000,000*l.* Another economist, an equally celebrated and more successful free trader, has fallen foul of the calculations of this work, which is a great authority with the Anti-Corn-Law League, and he has shown the gallant calculator that he has omitted to deduct the number of quarters that are required for seed, for the sustenance of the agriculturists themselves, for the support of their horses, and so at once the critic cuts down the estimate of the Colonel to a tax of nine or ten millions on the public. But I will give, as is my custom, an advantage to my opponents, and take the first calculation. The conclusion of the Colonel, and of the school of which he is so distinguished a champion, is, that it is better for England not to raise a single quarter of corn, and then the whole of this tax might thus be saved. You will say this is an extreme statement; but the statement is not mine, and an extreme case tests the truth of a principle. Let us suppose, then, that England imports 50,000,000 of quarters of corn—let us suppose that she thus saves ten or twenty millions of taxation. We will admit it for the purpose of discussion. But you cannot deny that England has lost the wages of labour that would have produced those fifty millions of quarters; you cannot deny that England has lost the profits of the capital that would have been invested in the production of those fifty millions of quarters; you cannot deny that England has lost the rent that this cultivation would have afforded after paying these wages of labour, and furnishing these profits of capital. What is their united amount? It would be a light estimate to place it at twenty times that of the imaginary tax. In the proportion that united amount bears to the assumed tax, the purchasing power of the community created by the law exceeds the tax on the community alleged to be occasioned by the law. I am ready to acknowledge that the hon. Member for Stockport never addressed any public assembly with these opinions. He is a practical man—he knows very well there is no chance of changing the laws of England with abstract doctrines, and he says very properly, "I don't admit your conclusion—we don't suppose any land will be thrown out of cultivation. There may be a reduction of price or not; but what we say is, you are creating that artificial price for the first necessaries of life in the country, and

you are creating that artificial price for the benefit of a class; and, therefore, the reduction of price is, at the worst, the destruction of rent." That is the position he takes up. Now, for my own part, I will admit that I see no difference between a territorial class and the handloom weavers. If you show me that there is a law kept up merely to give a revenue to any class in this country, and that by putting an end to that law the great body of the people can be fed better and as well employed, I cannot imagine anything like a Corn Law can be maintained. Well, then, we are brought to the gist of the question. Will this change occasion a great displacement of labour? And if so, can you supply new employment for those who are displaced? It seems to me, Sir, impossible to arrive at any conclusion on this head, unless we form some estimate of the probable price of corn in this country after the measures of the Ministers have fairly come into play. It is in vain to make this inquiry of the right hon. Gentleman, and therefore we must be thrown on our elements of calculation. If we can show to you that for the future the price of corn must necessarily be such as to render it impossible in the greater part of this country to cultivate wheat or other grain with a profit, you must acknowledge there will be a great displacement of labour. We will endeavour to meet you with facts, and protest against your answering us with assumptions. I will not trouble the House by referring to those countries whose names have been so long familiar in these debates. If I allude to them, it is only because I do not wish the House to suppose that I depreciate the productive power of those countries. My hon Friend the Member for Somersetshire said, that the surplus produce of Russia was 28,000,000 quarters of corn, whereupon the Secretary of State rose to express his incredulity amid the sympathizing derision of Gentlemen opposite. Why, Sir, the authority for that statement is the officer of the Government, the functionary who is employed by you to analyse the tariffs and resources of foreign countries; and probably the Secretary of State is the Minister who laid his Report on the Table of the House. The authority is Mr. M'Gregor. I allude to it in passing, not that I value the authority of Mr. M'Gregor a rush; but it is right that it should be known that the statement of my hon. Friend was derived from your own blue books, and prepared by one of your own officers. What is the object of publishing these blue books, except to furnish us with the elements of opinion? I will not, however, enter into the empire of all the Russias; I know that it contains about seventy principalities—that more than one of them has an area greater than the United Kingdom—and that every one produces corn. I cannot forget the rich valley of the Wolga, or the exuberant plains of the Ukraine. I wont take you to the valley of the Mississippi, though I have a statement here made by a high authority on this subject, who declares that its produce may be indefinitely extended, and that its wheat can be supplied, with a high estimate for freight, in London at 30*s.* per quarter. But what I wish to bring before the notice of the House are the markets that are never mentioned, but which, I believe, will exercise a great influence on the price of corn. There is one market which has never been mentioned in the course of these discussions, and that is Hungary. Hungary is a plain which consists of 36,000 English square miles. It is the richest soil in the world—the soil of a garden, varying in depth from one foot to seven feet. You may go hundreds of miles together and not find a stone in it. If you deduct one-third of that area for morasses, there are 24,000 square miles of the most fertile soil in the world, under the influence of a climate admirably adapted to the growth of corn. I have had a return sent to me of the production of one province in 1844, 12,000,000 bushels; in Croatia the produce was 1,500,000 quarters. Yet thousands upon thousands of acres are uncultivated. But, hon. Gentlemen will say, how are we to get this corn from Hungary? That is what I am going to tell you. Here is a letter from the greatest corn merchant in Hungary. He lives at Sissek on the Saave, the great depôt of the corn trade of that country. I will not give you the prices of this year, which is a year of scarcity, but I will give you the average of the last five years. An English quarter of Hungarian wheat, which, it should be remembered, ranks with the highest classes of Dantzic wheats, costs in English money from 18*s.* to 20*s.* per quarter. It is sent from Sissek by the river Kulpa to Carlstadt for 4*d.* per quarter, and from Carlstadt by land to Fiume for 1*s.* 8*d.* per quarter. The person who gives me this information is a practical man. He says, "Only give

me a regular trade with England, and I will send you from Sissek 500,000 quarters in the first year." I will soon show you what is the effect of a steady market on increased supply and decreased price. I will take another market—a very interesting one—that of the Danubian provices. In the year 1842, at the two ports of the Danube, Galatz, and Ibrail, there were 1,350 ships laden with the produce of those countries, and only eight of them were English. That is a remarkable fact. We are the greatest commercial country in the world; and yet in an active scene of commerce, where an almost absolute freedom of trade is enjoyed, it appears by a return dated since the accession of the present Government to office, that out of 1,350 merchant ships laden in the two ports of the Danube, only eight were English. A house at Galatz has written to a house in England on the subject of supplying this country with corn, and the writer says—

"I will undertake to lay down, if secured a price of 18*s*. per quarter, in any English port, 200,000 quarters of wheat, from this particular district, at 28*s* to 30*s*., but if you will secure me a certain market I will double that quantity next year."

From the same place another house asserts that if you will ensure a regular trade they can supply 1,000,000 quarters of wheat, at 18*s*. per quarter; and if this measure passes, they undertake, at the end of seven years, that that quantity shall be doubled and sent to England at a reduced price. I speak of mercantile letters, and can give hon. Gentlemen opposite the names of the firms. I feel I must not dwell too long on this point; but yet, under the head of unenumerated markets, which have not been the subject of discussion in the House, I may mention Spain—which will act greatly on this country—Egypt, and Sicily. Each of these countries, when the new measures are fairly in play, will be able, I believe, to furnish this country with as much corn as they have required in years of deficiency. My opinion is, that in exact proportion as your demand for wheat, and for various kinds of grain increases, in the same proportion the price will diminish. I believe it may be laid down as a principle of commerce, that where an article can be progressively produced to an indefinite extent, precisely as the demand increases the price will decrease. I am aware that that is exactly contrary to the opinion of hon. Gentlemen opposite, and to the opinion of the Government. We have had it announced from the hustings, that exactly as you import a million of quarters of wheat from continental markets, prices abroad will rise 10*s*. per quarter. That which was announced by a great authority is only the echo of the Manchester school, and has been accepted by the Government. The hon. Member for Montrose stated the other night, that the result of these contemplated changes was only to equalize prices—we shall equalize prices by the demand, but we shall not lower prices. The gist of the question is the accuracy of this opinion. Is it true? The question whether England can maintain her character as an agricultural country — the question whether her people can be employed as they have been—the question whether there will be a great displacement of labour, depends upon the accuracy of this opinion. I referred on a former occasion to the instance of tea. I said in that case that an increased demand had decreased the price. That intimation was received rather incredulously. It was not met by any argument or decided fact; but subsequently it was contradicted, and in a very unsatisfactory manner. I will now show the House how far I was justified in that statement. I wrote to a mercantile house which is more largely connected with the China trade than any other house in the country. I placed before them the assertion I had made, and the reply it had met. What was the answer I received? Here it is:—

"I hand you enclosed the prices per lb. of sound commmon congou tea, which is the kind most consumed in this country, from which you will be able to observe that there has been a great fall in the price since the year 1831."

What, then, was that fall in price per lb. of congou tea—the sort most consumed in this country? In the year 1831 congou tea was 2*s*. 2*d*. per lb.; in the year 1846 it is 9*d*. per lb. I know very well that the price of tea in 1831 was, to a certain degree, artificial. The mercantile influence of the East India Company still prevailed, and the supply was limited. But that influence was not greater than that of the China war, and, it will be observed, those disturbances only affected the market for a couple of years. In 1832, tea was 2*s*. 1½*d*.; in 1833, 1*s*. 11*d*.; 1834, 1*s*. 7¼*d*.; 1835, 1*s*. 4*d*.; 1836, 1*s*. 1*d*.; 1837, 1*s*. 7*d*.; 1838, 1*s*. 2*d*. And then we come to the disorders in China, which had the effect of raising the price in 1839 to 2*s*. 5*d*.; it

then fell in 1842 to 1*s.* 3½*d.*; 1843, to 11*d.*; 1844, to 10*d.*; in 1845, to 9½*d.*; until, in 1846, we find it reduced to 9*d.* per lb.; and all this time the import of tea from that country, which, from its being solely produced there, enjoys a *quasi* monopoly, was increasing by millions of pounds. And then, Sir, I am told that by the last accounts from Canton the price of tea is rising; and that is called an answer. Why, Sir, if by the last accounts from Canton the prices of tea had been falling, I should not have adduced that as an argument in favour of the principle I am upholding. The price of tea will fall, and will rise, according to the circumstance of the market; there must always be undulation in price. But the question is, what, if I may use the expression, is the gradient of price, what the inevitable and unmistakeable tendency of price during a series of years? The next instance I shall take is one which is more favourable to our case, but, at the same time, strictly legitimate. It is one which bears more analogy to corn—namely, cotton. The price of cotton, upland, per lb., in the year 1836 was 10⅛*d.*; in 1837, 8*d.*; 1838, 8¼*d.*; 1839, 6¾*d.*; 1840, 6½*d.*; 1841, 5⅝*d.*; 1842, 5¼*d.*; 1843, 5⅛*d.*; 1844, 4⅛*d.*; and in 1845, from 4*d.* to 4¼*d.* per lb.; and in those ten years of progressive fall in price the import of cotton into England had risen from 350,000,000 lbs. to 597,000,000 lbs., while during the same period of a falling price other manufacturing countries, including the United States, had increased their consumption of that article from 282,000,000 lbs. to 439,000,000 lbs. It seems therefore to be demonstrable that where there is no natural or artificial cause to check the progress of production, price will proportionately fall. Now in the article I am about to refer to there are these causes in operation, and the whole state of the sugar trade is so anomalous, that I might fairly have omitted it from the application of the test. But it occurred to me that it might be tried with reference to the production of East India sugar since the duties were equalized. What is the result? At the end of the year 1841 the price of brown Bengal sugar was 47*s.* to 52*s.*; 1842, 45*s.* to 51*s.*; 1843, 47*s.* to 55*s.*; 1844, 39*s.* to 49*s.*; 1845, 38*s.* to 42*s.*; 1846, 37*s.* to 42*s.*; and with that falling price the amount imported increased from 24,000 tons in the first year to 62,000 tons in the last year. With respect to the finest kinds of the same sugar, the price fell from 69*s.* to 74*s.* down to 52*s.* to 56*s.* during the same period. Therefore the instance of sugar is in perfect harmony with the general and ruling principle I have laid down. The case of coffee I find to be still more satisfactory. I must apply my rule again to East India production in this case, owing to the anomalous state of our West India Colonies. Let us then take Ceylon coffee, and we shall find that the importation has greatly increased. The price of that article in 1840 was, per bag, 90*s.* to 91*s.*; in 1846 it fell to 44*s.*; and in the first year the quantity imported was 53,000 bags; in the last year 133,000 bags. Then take the case of Mysore coffee during the same time. In the first year the price was 70*s.* to 80*s.* per cask; in the last year 36*s.* to 48*s.* per cask; the quantity imported in the former year being 48,000 casks; in the latter 63,530. There are many other important articles which it would be wearisome to refer to in detail, but which I mention that Gentlemen may have an opportunity of investigating this important principle. Look at the instances of indigo, salt, iron, coal, and fruits, ever since the alteration of the law, and you will find this principle is invariably observed, universally demonstrated. Well, Sir, is it then unreasonable for me to ask what there is in corn to make it an exception to this general rule? I want that question to be answered. It is a fair question. Why, I repeat, is corn to be an exception to this rule? Is it because corn is produced in every country and under every clime? I want to know where it is you will not produce corn. We have had by late arrivals accounts of the price of wheat in Persia, where we find it is at present 5*s.* per quarter. True, you can't very easily import corn from Persia; but there are countries lying at each point of the compass from Persia where you may purchase corn at from 10*s.* to 20*s.* per quarter. The rest is an affair of the cost of transport, in an age when the principle of locomotion is bringing all articles to a level. Now, Sir, before I estimate the consequences of these proposed changes, I will first advert to the parallel which has been so often drawn between the importation of foreign corn and foreign cattle, in order to show how ill-founded may be our fears. It does not appear to me that there is much analogy between these two instances, which are always treated as the same. In the first

place, continental countries have been corn-growing countries long before England became so. But they have never been to any extent cattle-feeding countries. The very fact of the prevalence in them of the Roman Catholic religion, which prevented the consumption of meat to the same extent as in Protestant countries, alone has discouraged it. Besides, the pastures of England have always, even in old days, been unrivalled. Nor should we forget the difficulty and danger of transport in the commerce of live stock. It appears, therefore, that the analogy between these cases is very imperfect. I say, then, assuming, as I have given you reason to assume, that the price of wheat, when this system is established, ranges in England at 35*s.* per quarter, and other grain in proportion, this is not a question of rent, but it is a question of displacing the labour of England that produces corn, in order, on an extensive and even universal scale, to permit the entrance into this country of foreign corn produced by foreign labour. Will that displaced labour find new employment? The Secretary of State says, that England is no longer an agricultural but a commercial and manufacturing country; and the right hon. Gentleman, when reminded by the noble Lord the Member for Gloucestershire, of his words, said, "No, I did not say that; but I said that England was no longer exclusively an agricultural country." Why, Sir, the commerce of England is not a creation of yesterday: it is more ancient than that of any other existing country. This is a novel assumption on the part of the Government to tell us that England has hitherto been a strictly agricultural country, and that now there is a change, and that it is passing into a commercial and manufacturing country. I doubt whether, in the first place, England is a greater commercial country now than she has been at other periods of her history. I do not mean to say that she has not now more commercial transactions, but that with reference to her population, and the population of the world, her commerce is not now greater than at other periods of her history; for example, when she had her great Levantine trade, when the riches of the world collected in the Mediterranean, when she had her great Turkey merchants, her flourishing Antilles, and her profitable, though in some degree surreptitious, trade with the Spanish main. But then it is also said that England has become a great manufacturing country. I believe, Sir, if you look to the general distribution of labour in England, you will find she may be less of a manufacturing country now than she has been. Well, I give you my argument; answer it if you can. I say, looking to the employment of the people, manufacturing industry was more scattered over the country a hundred years ago than it is now. Hon. Gentlemen have laid hold of a word uttered in the heat of speaking. I say manufacturing industry was more dispersed over the country then than now—there were more counties in which manufactures flourished then than at the present moment. For instance, in the west of England, manufactures were more flourishing, and your woollen manufacture bore a greater ratio in importance to the industrial skill of Europe 300 years ago than it does to the aggregate industry of Europe at the present moment. That manufacture might not have been absolutely more important; but as a development of the national industry, it bore a greater relative importance to the industry of Europe then than at the present moment. You had then considerable manufactures in various counties—manufactures a hundred years ago which are now obsolete, or but partially pursued. You have no doubt now a gigantic development of manufacturing skill in a particular county which is unprecedented. It is one of those developments which confer the greatest honour on this country, which has been a great source of public wealth, a development of which Englishmen should be justly proud. But, generally speaking, it is confined to one county; and now Ministers tells us we must change our whole system, because, forsooth, England has ceased to be an agricultural country, and has become a commercial and manufacturing one. That is to say, that we must change our whole system in favour of one particular county. Sir, that is an extremely dangerous principle to introduce. I have heard of a repeal of the Union, but we may live to hear of a revival of the Heptarchy, if Her Majesty's Ministers pursue this policy; if those portions of the country which are agricultural, or suffering under the remains of an old obsolete manufacturing population, are to be told that we must change our whole system because one county where there is a peculiar development of one branch of industry demands it. But what are the resources of this kind of industry to employ and support the people, supposing the great depression in agricultural produce occur which is feared—that

this great revolution, as it has appropriately been called, takes place—that we cease to be an agricultural people—what are the resources that would furnish employment to two-thirds of the subverted agricultural population—in fact, from 3,500,000 to 4,000,000 of people? Assume that the workshop of the world principle is carried into effect—assume that the attempt is made to maintain your system, both financial and domestic, on the resources of the cotton trade—assume that, in spite of hostile tariffs, that already gigantic industry is doubled—a bold assumption, even if there be no further improvements in machinery, further reducing the necessity of manual labour—you would only find increased employment for 300,000 of your population. Perhaps mechanical invention may reduce the number half, and those only women and children. What must be the consequence? I think we have pretty good grounds for anticipating social misery and political disaster. But, then, I am told, immense things are to be done for the agriculturist by the application of capital and skill. Let us test the soundness of this doctrine. When a man lends his capital, he looks to the security he is to have, and to what is to pay the interest. Is the complexion of these measures such as to render men more ready to lend money on landed estates? The mortgagee, when he advances money on land, looks to the margin in the shape of rent for his security. Will any man rise and maintain that the tendency of these measures is to increase that margin? But you are not only diminishing the opportunity of obtaining loans upon your own estates, but you are creating for capital an investment which will be more profitable for it in the estates of the foreigner. Look at the relations in which you will place the foreign merchant with his London correspondent. He has no longer to fear the capricious effects of the sliding-scale: he has got a certain market; he goes to his London banker with an increased security for an advance; he obtains his loan with ease; he makes his advances to the country dealers on the Continent as he makes his advance of English capital now in the foreign wool trade, before the clip and the great fairs; and thus, while you diminish the security of the landed proprietor, you are offering to the English capitalist a better and securer investment. But then you tell us of the aid to be had by the agriculturist from skill. It is not easy to argue on a phrase so indefinite as skill; but I think I can show you that the English agriculturist is far more advanced, in respect to skill, than even the English manufacturer. I dont't mean to say that there are not English farmers who might cultivate their lands better and with more economy than they do; but the same may surely be said, in their respective pursuits, of many a manufacturer and many a miner; but what I mean to say is, that an English farmer produces more effectively and wastes less—is more industrious and more intelligent than the manufacturer. I will prove this by the evidence of a member of the Anti-Corn-Law League—Mr. Greg. Mr. Greg says, that the competition is so severe that he almost doubts the possibility of the English manufacturer long maintaining that competition with the Continental or American manufacturer, who approach them nearer every day in the completeness of their fabrics and the economy of their productions. But no such thing can be said of the English agriculturist, who, I have shown you, can produce much more per bushel than the French, Russian, or American agriculturist. So much, then, for the argument with respect to skill. There is one argument, or rather appeal, which I know has influenced opinion out of this House, and also within it. You bring before us the condition of the English peasant. It is too often a miserable condition. My hon. Friend the Member for Shaftesbury has gained, and deserves, great credit for investigating the condition of the Dorsetshire labourer. He has introduced it into this discussion. Now, the condition of the Dorsetshire labourer is one of the reasons which induce me to support this law. It is very easy to say that the condition of the agricultural labourer, when compared with the general state of our civilization, is a miserable and depressed one, and that protection has produced it. If I cannot offer you reasons which may induce you to believe that protection has had nothing to do with it, I shall be perfectly ready to go to-night into the same lobby with Her Majesty's Ministers. I asked you the other night, if protection has produced the Dorsetshire labourer at 7*s.* per week, how is it that protection has produced the Lincolnshire labourer with double that sum? I do not say that is an argument. It is a suggestive question, which I will endeavour to follow up. Mr. Huskisson made an observation, in conversation with an acquaintance of mine, which has always struck me

very forcibly. When Mr. Huskisson first settled in Sussex, his attention was naturally drawn to the extraordinary state of pauperism in that county; and after giving the subject all the meditation of his acute mind, he said that he traced it to the fact, that Sussex had formerly been the seat of a great iron trade, and that agriculture had never been able to absorb the manufacturing population. Now, apply that principle to the western counties, and don't you think it will throw some light upon their condition? They also have been the seats of manufactures—many of them obsolete, and many of them now only partially pursued. There, too, you will find that the manufacturing population has never been absorbed by the agricultural—that is, agriculture does not bear its ratio in its means of support to the amount of the population which it has to sustain, but which it did not create. And now go to Lincolnshire. I will rest our case on Lincolnshire. It is a new county; it is a protected county. Lincolnshire is to agriculture what Lancashire is to manufactures. The population there is produced by land and supported by land, in the same manner that the population of Lancashire has been produced and is supported by manufactures. Let us picture to ourselves for a moment that celebrated tower that looks over that city, which my gallant Friend and his ancestors have represented since the time of the last Stuart. Let us picture him for a moment placing the arch-fiend of political economy in that befitting niche, and calling his attention to the surrounding landscape. To the north, extending to the Humber, an endless tract of wolds, rescued from the rabbits, once covered with furse and whins, and now with exuberant crops of grain: to the south, stretching for miles, is what was once Lincoln Heath, where in the memory of living men there used to be a lighthouse for the traveller, and which, even in the recollection of the middle-aged, was let to the warrener at 2*s.* 6*d.* an acre, now one of the best-farmed and most productive corn districts in the kingdom. Then turning from the wolds and the heaths eastward, reaching to the sea, he might behold a region of fens, the small ones drained by the steam-engine, with the East and West and Wildmere Fens, once more than half of the year under water, now cleared by large canals, and bearing magnificent wheats and oats; with the great Witham and Black Sluice drainage districts, one extending over 60,000 and the other 90,000 acres, admirably reclaimed and drained, and bearing and creating and well sustaining a large and industrious and thriving population. And all under the faith of Protective Acts of Parliament. I am told that it is the contiguity of manufactures that makes Lincolnshire so prosperous. But, Sir, the frontiers of Wilts are nearer that great manufacturing district of which Birmingham is the centre, than those of Lincolnshire are to Lancashire. Now, see what Lincolnshire has produced under protection. There you see the protective system fairly tested. But when you find the labourers in the western counties wretched and miserable, do not say that protection has been the cause of it, when protection is, perhaps, the reason why they exist at all; but see if you cannot find other causes for their poverty and means to counteract it. I must say, that nothing astonished me more than when the noble Lord the Member for Falkirk asked the farmers in Newark market, "What has protection done for you?" Why, that market is supplied with the wheat of Lincoln Heath, the intrinsic poverty of whose soil is only sustained by the annual application of artificial manures, but which produces the finest corn in the kingdom. What has protection done for them? Why, if protection had never existed, Lincolnshire might still have been a wild wold, a barren heath, a plashy marsh. There are one or two points to which I could have wished to call the attention of the House, but which time will only permit me to glance at. I will not presume to discuss them. But you cannot decide this question without looking to your Colonies. I am not one of those who think it the inevitable lot of the people of Canada to become annexed to the United States. Canada has all the elements of a great and independent country, and is destined, I sometimes believe, to be the Russia of the new world. The hon. and learned Member for Bath, in answering the speech of the noble Lord the Member for Lynn, last night, treated our commerce with Canada very lightly, rather as a smuggling traffic than legitimate commerce. That is an argument for keeping the Canadas. I have no desire to see a smuggling trade if we can have any other. But I will ask the gentlemen of Manchester to consider what may become of the trans-Atlantic market for their manufactures, if the whole of that continent belong to

one Power? But I must not dwell on the Colonies, and I shall scarcely touch the case of Ireland. It is too terrible, especially if there be truth in the opinion of the noble Lord, whose conversion has been so much a matter of congratulation to the Government, that their measure must be fatal to small farmers. Why Ireland is a nation of small farmers. There was, however, one observation made with respect to Ireland by the hon. Member for Stockport, which, considering the effect it has had, I cannot help noticing. The hon. Gentleman says, "Ireland an argument in favour of the Corn Laws! Of all countries in the world I never should have supposed that Ireland would have been brought forward in support of the Corn Laws." That is a saucy and gallant sally; but is it an argument? what does it prove? The population is reduced to the lowest sources of subsistence. Admitted; but how do they gain even their potatoes except by cultivating the soil, and by producing that wheat and those oats which they send to England? I should be very glad if that wheat and those oats remained in Ireland; but I ask, what will be the state of Ireland, if the effect of this measure on your markets be such as I have assumed? You say that capital will flow into the country, and manufactures will be established. What length of time will elapse before these manufactures are established? Perhaps before that time the iron trade will revive in Sussex, or we shall see the drooping energies of the Dorsetshire labourer revived by his receiving the same wages as are paid at Rochdale and Stockport. Believing that this measure would be fatal to our agricultural interests—believing that its tendency is to sap the elements and springs of our manufacturing prosperity—believing that in a merely financial point of view it will occasion a new distribution of the precious metals, which must induce the utmost social suffering in every class, I am obliged to ask myself, if the measure be so perilous, why is it produced? Sir, I need not ask what so many Gentlemen both in and out of this House have already asked, what was there in the circumstances of this country to authorize the change? If we are only a commercial and manufacturing people, all must admit that commerce was thriving and that manufactures flourished. Agriculture was also content; and even had it been suffering and depressed, what does it signify, since England has ceased to be an agricultural country? Obliged, then, to discover some cause for this social revolution, I find that a body of men have risen in this country, eminent for their eloquence, distinguished for their energy, but more distinguished, in my humble opinion, for their energy and their eloquence than for their knowledge of human nature, or for the extent of their political information. Sir, I am not one of those who, here or elsewhere, in public or in private, have spoken with that disrespect which some have done of that great commercial confederation which now exercises so great an influence in this country. Though I disapprove of their doctrines—though I believe from the bottom of my heart that their practice will eventually be as pernicious to the manufacturing interest as to the agricultural interests of this country, still I admire men of abilities who, convinced of a great truth, and proud of their energies, band themselves together for the purpose of supporting it, and come forward, devoting their lives to what they consider to be a great cause. Sir, this country can only exist by free discussion. If it is once supposed that opinions are to be put down by any other means, then, whatever may be our political forms, liberty vanishes. If we think the opinions of the Anti-Corn-Law League are dangerous—if we think their system is founded on error, and must lead to confusion—it is open in a free country like England for men who hold opposite ideas to resist them with the same earnestness, by all legitimate means—by the same active organization, and by all the intellectual power they command. But what happens in this country? A body of gentlemen, able and adroit men, come forward, and profess contrary doctrines to those of these new economists. They place themselves at the head of that great popular party who are adverse to the new ideas, and, professing their opinions, they climb and clamber into power by having accepted, or rather by having eagerly sought the trust. It follows that the body whom they represent, trusting in their leaders, not unnaturally slumber at their posts. They conclude that their opinions are represented in the State. It was not for us, or the millions out of the House, to come forward and organize a power, in order to meet the hostile movements of the hon. Member for Stockport. No, we trusted to others—to one who by accepting, or rather by seizing that post, obtained the greatest place in the country, and at this moment governs

England. Well, Sir, what happens? The right hon. Gentleman, the First Minister, told his Friends that he had given them very significant hints of the change of his opinions. He said that even last year, Lord Grey had found him out, and he was surprised that we could have been so long deluded. Sir, none of the observations of the right hon. Gentleman applied to me. More than a year ago I rose in my place and said, that it appeared to me that protection was in about the same state as Protestantism was in 1828. I remember my Friends were very indignant with me for that assertion, but they have since been so kind as to observe that instead of being a calumny it was only a prophecy. But I am bound to say, from personal experience, that, with the very humble exception to which I have referred, I think the right hon. Baronet may congratulate himself on his complete success in having entirely deceived his party, for even the noble Lord, the Member for Lynn, himself, in a moment of frank conversation, assured me that he had not till the very last moment the slightest doubt of the right hon. Gentleman. The noble Lord, I suppose, like many others, thought that the right hon. Gentleman was, to use a very favourite phrase on these benches in 1842, "only making the best bargain for them." I remember, when the Whig budget was rejected, and the right hon. Gentleman was installed into office, the changes which he proposed at the time created some suspicion; but all suspicion was hushed at the moment, because the right hon. Gentleman was looked upon as the man who could make the "best bargain" for the party. I want to know what Gentlemen think of their best bargain now? Suddenly, absolute as was the confidence in the right hon. Gentleman, the announcement was made that there was to be another change; that that was to occur under his auspices, which, only a few months before, he had aptly described as a "social revolution." And how was that announcement made? Were hon. Gentlemen called together, or had the influential Members of either House any intimation given to them of the nature of it? No, Sir. It was announced through the columns of a journal which is always careful never to insert important information except on the highest authority. Conceive the effect of that announcement on foreign countries, and on foreign Ministers. I can bear witness to it. I happened to be absent from England at the time, and I know of great potentates sending for English ambassadors, and demanding an explanation; and of English ambassadors waiting on great potentates, and officially declaring that there was not the slightest truth in the announcement. And all this time, too, Members of the Government—I have some of them in my eye—were calling on other newspapers devoted to the Government, and instructing them to announce that the whole was an "infamous fabrication." How ingenuous was the conduct of Her Majesty's Government—or of that Minister who formed the omnipotent minority of the Cabinet, I leave the House to decide. But was it not strange that, after so much agitation, after all these schemes, after all these Machiavellian manœuvres, when the Minister at last met the House and his party, he acted as if we had deserted him, instead of his having left us? Who can forget those tones? Who can forget that indignant glance?

> "Vectabor humeris tunc ego inimicis eques;
> Meæque terra cedet insolentiæ;"

which means to say, "I, a protectionist Minister, mean to govern England by the aid of the Anti-Corn-Law League. And, as for the country Gentlemen, why, I snap my fingers in their face." Yet even then the right hon. Gentleman had no cause to complain of his party. It is very true that, on a subsequent occasion, 240 Gentlemen recorded their sense of his conduct. But then he might have remembered the considerable section of converts that he obtained even in the last hour. Why, what a compliment to a Minister—not only to vote for him, but to vote for him against your opinions, and in favour of opinions which he had always drilled you to distrust. That was a scene, I believe, unprecedented in the House of Commons. Indeed, I recollect nothing equal to it, unless it be the conversion of the Saxons by Charlemagne, which is the only historical incident that bears any parallel to that illustrious occasion. Ranged on the banks of the Rhine, the Saxons determined to resist any further movement on the part of the great Cæsar; but when the Emperor appeared, instead of conquering he converted them. How were they converted? In battalions—the old chronicler informs us they were converted in battalions, and baptized in platoons. It was utterly impossible to bring these individuals from a state of reprobation to a state of grace with a celerity sufficiently quick. When I saw the hundred and

twelve fall into rank and file, I was irresistibly reminded of that memorable incident on the banks of the Rhine. And now, Sir, I must say, in vindication of the right hon. Gentleman, that I think great injustice has been done to him throughout these debates. A perhaps justifiable misconception has universally prevailed. Sir, the right hon. Gentleman has been accused of foregone treachery—of long meditated deception—of a desire unworthy of a great statesman, even if an unprincipled one—of always having intended to abandon the opinions by professing which he rose to power. Sir, I entirely acquit the right hon. Gentleman of any such intention. I do it for this reason: that when I examine the career of this Minister, which has now filled a great space in the Parliamentary history of this country, I find that for between thirty and forty years, from the days of Mr. Horner to the days of the hon. Member for Stockport, that right hon. Gentleman has traded on the ideas and intelligence of others. His life has been one great appropriation clause. He is a burglar of others' intellect. Search the Index of Beatson, from the days of the Conqueror to the termination of the last reign, there is no statesman who has committed political petty larceny on so great a scale. I believe, therefore, when the right hon. Gentleman undertook our cause on either side of House, that he was perfectly sincere in his advocacy; but as, in the course of discussion, the conventionalisms which he received from us crumbled away in his grasp, feeling no creative power to sustain him with new arguments, feeling no spontaneous sentiments to force upon him conviction, the right hon. Gentleman, reduced at last to defending the noblest cause, one based on the most high and solemn principles, upon the "burdens peculiar to agriculture"—the right hon. Gentleman, faithful to the law of his nature, imbibed the new doctrines, the more vigorous, bustling, popular and progressive doctrines, as he had imbibed the doctrines of Mr. Horner—as he had imbibed the doctrines of every leading man in this country, for thirty or forty years, with the exception of the doctrine of Parliamentary reform, which the Whigs very wisely led the country upon, and did not allow to grow sufficiently mature to fall into the mouth of the right hon. Gentleman. Sir, the right hon. Gentleman tells us, that he does not feel humiliated. Sir, it is impossible for any one to know what are the feelings of another. Feeling depends upon temperament; it depends upon the idiosyncracy of the individual; it depends upon the organization of the animal that feels. But this I will tell the right hon. Gentleman, that though he may not feel humiliated, his country ought to feel humiliated. Is it so pleasing to the self-complacency of a great nation, is it so grateful to the pride of England, that one who, from the position he has contrived to occupy, must rank as her foremost citizen, is one of whom it may be said, as Dean Swift said of another Minister, that "he is a Gentleman who has the perpetual misfortune to be mistaken!" And, Sir, even now, in this last scene of the drama, when the party whom he unintentionally betrayed is to be unintentionally annihilated—even now, in this the last scene, the right hon. Gentleman, faithful to the law of his being, is going to pass a project which, I believe it is matter of notoriety, is not of his own invention. It is one which may have been modified, but which I believe has been offered to another Government, and by that Government has been wisely rejected. Why, Sir, these are matters of general notoriety. After the day that the right hon. Gentleman made his first exposition of his scheme, a gentleman well known in this House, and learned in all the political secrets behind the scenes, met me, and said, "Well, what do you think of your chief's plan?" Not knowing exactly what to say; but, taking up a phrase which has been much used in the House, I observed, "Well, I suppose it's a 'great and comprehensive' plan." "Oh!" he replied, "we know all about it! It was offered to us! It is not his plan; it's Popkins's plan!" And is England to be governed by "Popkins's plan?" Will he go to the country with it? Will he go with it to that ancient and famous England that once was governed by statesmen—by Burleighs and by Walshinghams; by Bolingbrokes and by Walpoles; by a Chatham and a Canning—will he go to it with this fantastic scheming of some presumptuous pedant? I won't believe it. I have that confidence in the common sense, I will say the common spirit of our countrymen, that I believe they will not long endure this huckstering tyranny of the Treasury Bench—these political pedlars that bought their party in the cheapest market, and sold us in the dearest. I know, Sir, that there are many who believe that the time

is gone by when one can appeal to those high and honest impulses that were once the mainstay and the main element of the English character. I know, Sir, that we appeal to a people debauched by public gambling—stimulated and encouraged by an inefficient and shortsighted Minister. I know that the public mind is polluted with economic fancies; a depraved desire that the rich may become richer without the interference of industry and toil. I know, Sir, that all confidence in public men is lost. But, Sir, I have faith in the primitive and enduring elements of the English character. It may be vain now, in the midnight of their intoxication, to tell them that there will be an awakening of bitterness; it may be idle now, in the spring-tide of their economic frenzy, to warn them that there may be an ebb of trouble. But the dark and inevitable hour will arrive. Then, when their spirit is softened by misfortune, they will recur to those principles that made England great, and which, in our belief, can alone keep England great. Then, too, perchance they may remember, not with unkindness, those who, betrayed and deserted, were neither ashamed nor afraid to struggle for the "good old cause"—the cause with which are associated principles the most popular, sentiments the most entirely national—the cause of labour—the cause of the people—the cause of England.

LORD J. RUSSELL: Sir, in rising to address the House after the hon. Gentleman who has just sat down, I confess I should certainly feel considerable hesitation at the task I undertook if I thought the hon. Gentleman was equally successful in his commercial theories, and his agricultural views, as he is powerful in invective against the right hon. Gentleman the Minister of the Crown, whom he accuses of having deserted his party. But how great is the contrast—how wide the difference between the hon. Gentleman's talent for directing powerful invective against the Minister, and his success in proving that the Bill before the House is an injudicious, ill-judged measure! I can assure the House and the hon. Gentleman, however, that the business of to-night is, the question as to whether this Bill shall be read a third time, and not whether we shall pass a censure on the conduct of the First Minister of the Crown. I confess I feel much comfort in addressing the House after the hon. Gentleman; but I can promise him that this question, in which I am rather a spectator than an interested party, shall not be neglected by me so far as the public interests are concerned; if the House will allow me to continue my address to them till I come to allude to that part of the hon. Gentleman's speech. But to begin with the beginning—the hon. Gentleman began by alluding to the use of abandoned arguments. I do not think that this accusation of abandoned arguments need lie very heavy on the minds of the hon. Gentleman and his party; for their whole case rests on the repetition of some fifty or a hundred arguments which have been long ago disposed of till we supposed that they had become obsolete. Indeed I do not know that the whole case of the protectionists could be more accurately stated now than it has been in the language of an ancestor of the noble Lord who began this debate, in the year of our Lord 1608. And to this day they have not abandoned the same arguments. The noble Lord's ancestor, in writing to his friend in 1610, spoke of wicked bakers, who contrived to raise the price of bread by certain means. I think that letter does contain, in its antique language, the whole argument now used by the protectionists, and to this day they have not abandoned that argument. But I did suppose that some of these old arguments—prejudices, I must call them—had been abandoned. The noble Lord's ancestor said, that in the year 1610 the wicked bakers were always raising the price of bread. Even this argument is not abandoned, for an hon. Member to-night has told us that potatoes in Yorkshire are cheap, and may be had for 2*s.* a bushel; but that the wicked potato factors in London will not sell them so cheaply; and the simple Yorkshiremen (who I always thought were sufficiently alive to their own interest), though they have potatoes in abundance, do not send them to a market where they can get ten times the price they obtain in the country. The protectionists may boast, therefore, that not one of the old arguments has been abandoned by them. The hon. Member said, that I have abandoned the doctrine that protection is the bane of agriculture. I have not abandoned that doctrine, for I consider that the agriculture of this country has been injured by protection. I do not deny that under that system there has been high cultivation in several parts of the country; but in other parts of the country cultivation is still in a backward state; and in those parts where there is good agri-

culture it dates only from six, or eight, or ten years ago; and my opinion is, that if protection had not been kept up, the agriculture of this country would have been much further advanced. If it must be admitted that within a few years agriculture has made enormous advances in this country, it must be also asserted they have not been equal to the progress of manufactures, and to the impulse we might expect to be given to agriculture from that cause, and from a great number of persons seeking to possess property, and to cultivate farms. It is not more than ten years since those great advances have been made. But the noble Lord who commenced this debate, asked me whether protection be not also the bane of manufacture; and I say it is. First, with respect to cotton and wool, the protection being insufficient—in point of fact inoperative—did no harm; but I say, wherever the protection has been an effectual protection—as in the case of the Spitalfields' weavers—that then manufactures have been injured. But suppose, instead of our having to alter the system of protection, and no such system had ever existed, and we bought our wheat and bread and manufactures as cheaply as we could, and imposed taxes solely for revenue; I should like to know what would be thought of a Minister who should come down to Parliament and say, "I have a great plan to propose, in order to promote the domestic industry of the country; I propose that you should pay dearer for the articles you consume; that you should pay a high price for your bread, and high prices for your coffee and your sugar." Why, if that were the case, I believe that such a system, if proposed now for the first time, would be scouted at once, and not the authority of St. George himself, far less that of his namesake, would succeed in persuading the House to adopt it. But this is not a new thing proposed for the first time; it is an old system, and the question is, how it is to be changed; and I must beg the permission of the House—and I trust I address the House for the last time on this subject—I request their attention for a few minutes whilst I state what has been my course with respect to the Corn Laws for a number of years past. When I gave my support in the early part of my life to the principles of Mr. Huskisson, I considered him the soundest Minister, in his views respecting corn and commerce, the country ever had, and I never voted against him. But when I perceived the working of the Bill of 1828, and weighed the arguments and observations respecting that measure, as I thought that Bill was working injuriously to the country, I stated, first to Mr. Ricardo, and afterwards to the House, that my opinion had been changed in favour of a fixed duty; and I thought then that a permanent moderate fixed duty such as had been advocated by Mr. Ricardo of about 10*s.* a quarter was the best system that could be adopted. In the year 1840, when the question was before brought before the House, I again stated my opinion in favour of a fixed duty; but I wish to show further, that that was not a solitary opinion, but also that of the Government to which I belonged. The greater portion of the Members of the Administration had stated the same opinion. In 1840 the question of the Corn Laws was brought before both Houses—in the House of Lords by Lord Fitzwilliam—and on those two occasions eleven Members of Lord Melbourne's Cabinet voted for a reconsideration of the Corn Laws: in the House of Lords for a resolution that it was expedient to reconsider them; and in this House for a Committee, I declaring that either myself or my right hon. Friend then the President of the Board of Trade would propose a fixed duty, if that Committee were granted. I said at that time that I thought the settlement of the Tithe question and the New Poor Law made a great difference as to the Corn question, and that a freer competition with foreign corn and foreign produce might be adopted with safety to British agriculture. There were two or three Members of the Cabinet who did not give any opinion on the subject; but of those who did, Lord Melbourne, the Prime Minister, and one other Member of the Cabinet, voted against any change. There was an opinion of Lord Melbourne's given on the occasion, which has been so often referred to, that I beg to state what Lord Melbourne did say on the occasion. Referring to Lord Fitzwilliam, he said—

> "The noble Earl proposes that it is neither expedient nor necessary to maintain the present Corn Laws. Now, although I am distinctly of opinion that it is expedient, yet I wish to guard myself against being supposed to be determined always to maintain the existing laws. I never pledged myself to that, nor do I mean to do so. It is no subborn question of principle, and I will not pledge myself that various considerations of policy might not arise which would justify, if not render necessary, a different course."

Now, with that opinion so given by Lord

Melbourne, while he voted against the proposed change, and four Members of the Cabinet in the other House and all those who were in this House declaring for the change, that was going as far in favour of a change in the Corn Laws as Mr. Canning ever went at the end of his life on the Catholic question. Then I say, after these facts in 1839 and 1840, that the whole Ministry as a united Cabinet should in 1841 propose a change in the Corn Laws was not surprising. Sir, I feel justified in thus troubling the House with this detail, because I know that it has been over and over again said, for years, that the proposal of 1841 was a sudden thought produced by the difficulties of the Ministry. The fact was, that we had long, as individual Members of the Government, been for a fixed duty; but then we for the first time proposed, as a Ministry, what we thought should be the amount of that fixed duty. I have already said that if the circumstances of 1841 could come over again, I should still be of opinion that a moderate fixed duty would be the best change from the law of 1828. I was of opinion that when the laws of protection had not only been imbedded in your Statute-book, but also incorporated in the habits of your people, these changes should be made gradually, and with a general assent. I believe that the manufacturing interest and the Anti-Corn-Law League would then have been prepared to accept even an 8*s.* duty, although they would still have considered it a high duty. ["No, no!"] I have authority, good authority, for making that statement. Sir, from that time to the middle of last year I was still the advocate of a fixed duty, as being the best mode of changing the law. I considered, that after a fixed duty had lasted for a number of years, and a steady trade in corn had been the consequence, the change to free trade would be almost imperceptible, and that it would excite no panic or alarm. But, Sir, when those changes were obstinately resisted, when for seven years the association called the Anti-Corn-Law League had advocated this question, and had made the deepest impression on the public mind, the question bore no longer the same aspect. Having had the offer of a fixed duty rejected, there was not, from the days of the Sibyl down to the time when Mr. Canning threw over the proposed securities on the Catholic question, any precedent for repeating an offer that had been rejected. Therefore I had to consider last year, and I think I have to consider it now, whether there was anything short of the settlement proposed by the right hon. Baronet, resting on total repeal, which was likely to give satisfaction to the country, or to terminate the angry discussions on the question. Had I been able to carry a fixed duty with the general consent of both the manufacturing and agricultural interests, and with the concurrence of the great body of the people, I might have felt proud to accomplish that object. But to be placed in the situation of defending a duty which could scarcely be called a large protection, and yet which would be the constant source of irritation—to defend such a duty from year to year, and debate after debate, would have been a position which I confess I was not anxious to occupy. I am, therefore, of opinion, that as matters now stand, the question is between keeping up the present protection, which most Gentlemen seem to think can scarcely be maintained, and the total abolition, after the lapse of a few years, which the right hon. Baronet proposes of all the duties on corn. Do I say that it is the way in which I should at first have wished to have made the change? No; I agree with Adam Smith and Ricardo, and others, that such changes should be gradual, and so conducted as to inflict as little injury as possible on existing interests; but, as matters now stand, and as the question is now put before the country, believing that repeal of the Corn Laws is a right object, and that in itself it is the best system, I see no course between keeping up the system of protection as it exists, or to come to a total repeal almost immediately. Sir, I may as well tell the hon. Gentleman who spoke last that at the same time he made an assertion he made an admission also. He admitted that the Corn Laws tend to enhance the price of corn, but he asserted at the same time the power of the community to purchase was increased also. But, Sir, while that which the hon. Gentleman admitted is capable of proof—and his admission strengthens that proof—he gave at the same time no proof of the other part of his proposition—that the power to purchase was also increased by this law. The hon. Gentleman said, indeed, that the prices of corn would be ruinously low; that new markets would be opened, immense supplies of corn introduced, and the English labourer displaced. But let us observe in the first instance that his argument destroys entirely what has been the main strength of the case for

protection—that we ought to be independent of foreign nations for our supply of food. I could understand, if all our supplies of corn came from one or two countries, and they our rivals, that in time of war this country might run a danger of scarcity from the supplies being intercepted. I have, however, gone over in my mind the case of Russia, Prussia, and America; and I find that during the last century, as regards the two former, and since 1783 as to the latter, it has been a very few years indeed during which we have been at war with either; and that there was no period at which we were at war with all. I was comforted by this reflection, because it showed that we need not regard with apprehension our dependence on foreigners. But the hon. Member went further, and said we could receive a supply of corn from Hungary, Spain, and Egypt; in fact, that there was no place on the globe which would not send us supplies of corn. Then what becomes of his argument as to the fear of war? So long as we retain our maritime superiority, and are at peace with nine out of the ten of the nations of the globe, we shall have the supply the hon. Gentleman has so kindly told us of. But now as to the very low prices the hon. Gentleman told us of. He tells us of a number of places in Hungary, Sissek among the rest, from which corn would be brought at 18*s.* the quarter. I confess, Sir, it does appear to me that this is very like another Tamboff story. I rather think chat this immense supply can scarcely be calculated upon from those places. I find that there were even very low prices after that, the averages having been from 40*s.* to 50*s.*; and I, at least, am not much alarmed at such a rivalry with this country. It is, indeed, very much a question whether the prospect of having a great quantity of cheap corn is a prospect which ought to alarm the people of this country. I have heard the hon. Gentleman the Member for Somersetshire (Mr. Miles) go on by the hour, showing how great would be the fall in the price of wheat, and at last we began quite to dread that a gentleman's butcher's bill would fall almost to nothing; and now the hon. Gentleman the Member for Shrewsbury gives us additional alarm about the baker's, and has shown that our bread will be excessively cheap indeed. Why, my opinion is, that if you admit there will be a large quantity of bread, as an hon. Gentleman said at the commencement of to-night's discussion, there will also be a great many mouths to eat it—that there will be a much greater consumption of food by having a greater plenty, and thereby consuming many of the other products of agriculture and manufacture. The hon. Gentleman gave us a very vivid picture of the prosperity of Lincolnshire and other parts of England, owing to the existence of protection; but is it not partly owing also to the flourishing state of manufactures, and the ready market for agricultural produce, which is demanded and consumed by the persons dependent on the foreign trade of this country? That protection at the same time co-exists with an increased supply of foreign corn. I do not feel, therefore, those apprehensions which the hon. Gentleman has expressed of injury to the agriculturists from a still further increase in foreign corn trade. I think that in some years great quantities of corn will come into this country, in the expectation of prices which will not be realized; but that there will be a permanent depression of the market, such as to cripple the agriculture of this country, is not an apprehension that I think need be felt. The hon. Gentleman has spoken of the great fluctuations in this market. I will not venture with him to compare the fluctuations which have occurred in the European and American markets; there may be causes for these fluctuations of which we are not aware. But with regard to the fluctuations in this market, they have been not only very considerable, but the prices have been exceedingly high. In January, 1838, corn was 52*s.* the quarter; in December, it was 78*s.* 4*d.*; and in January, 1839, it rose to 81*s.* 6*d.*, falling again to 65*s.* in October. Is there not to be found in the fluctuations of these two years a very sufficient reason for the Government saying, "Let us have a greater admission of foreign corn; let us, if possible, have the people of this country better fed than they now are?" I said just now that I think we have got accustomed to much higher prices of corn than our ancestors had any notion of. Looking to the prices which ruled in the last century, after there was an admission of foreign corn, in 1763, when this country ceased to be an exporting country, and became a large importer of corn, I find that Mr. Burke, in a pamphlet of his, says, with no sort of compassion for agriculture, that he thought the people had no great cause to complain of the high prices of bread, because, for many years, the prices of Baltic wheat ruled from 32*s.* to

40*s*. I find, taking the experience of the thirty-four years from 1750 to 1784, that the average price of the quarter of wheat has been about 15*s*. That was a price not generally complained of—indeed so little complained of that when, in 1791, Mr. Pitt proposed to put on a duty of 6*d*. when the price was 54*s*., Lord Liverpool, in the House of Lords, spoke of it as an injury to the manufacturing classes. My belief is, that high prices during the war, and specific importations of corn, have altered our notions upon that subject, and have made us expect and say there ought to be much higher prices of corn than the consumer is entitled to pay. But I say the consumer involves the producer, for those who are the consumers of one article are the producers of another. Look, likewise, at the question as it regards manufactures and corn. While the price of manufactures has fallen about two-thirds, the price of corn has risen about 20 per cent. Now, is not that a reason in some respects why we should not exclude foreign corn? Is it not a reason why, as manufactures have fallen in as great a degree as corn has risen, you should no longer keep a law which puts such obstacles in the way of its import? The hon. Gentleman spoke of an important principle of which he was the advocate. He did not inform us what this important principle was which he would maintain; and unless it was the principle of the present Corn Laws, I know not what it was. The hon. Gentleman referred to our Colonies. I think we run no risk with regard to our Colonies. I think they have great advantages, setting apart the one which they enjoy of differential duties; the trade of our Colonies, if it is to be changed, I think ought to be changed more gradually and with more caution than that of the great people of whom we are the representatives; but I think, united with this great Empire, forming a part of it, they will not be sorry to see our restrictive system abrogated. And as for Canada, I cannot find in the accounts from that Colony any symptom of that alarm which has been spoken of. It does not appear either from the meetings of the House of the Legislative Assembly, or from the public meetings, that the people of Canada do entertain those fears, or those insuperable objections of which we have heard to the change. The hon. Gentleman ended his speech by giving an account of the mode in which the right hon. Gentleman opposite came into power, and of the manner in which he abandoned the principles he before professed. Now, upon this subject, I cannot agree in thinking that all the blame belongs exclusively to the right hon. Gentleman and his Colleagues. I think that some part of it must be shared by those who for so many years have been his followers. I think, indeed, that the right hon. Gentleman, coming forward to declare that that system of protection, of which he has long been the upholder, was unjust—having declared, some four years ago, that another Bill of which he was a great promoter in opposition, was fraught with injustice, and founded on injustice, shows a want of wisdom in his former opinions upon political matters. But when I consider what the party was which existed in 1841, I am not one of those who lament the disruption which has taken place. I will frankly confess that, in my opinion, there was one inherent defect in that great Conservative party which came into power in 1841. Their discipline was admirable; their machinery for elections was exceedingly well organized; they had candidates for every hustings, being, I may say, "*Bene nati, bene vestiti, mediocriter docti;*" and these Gentlemen had many party cries which they found of exceeding value at the elections, with little invention of their own. There was the fable of the Lichfield-house compact; another fable of Mr. O'Connell governing the whole Whig party; and various other inventions which indicated a great deal of fancy on the part of those who used them, though found exceedingly useful on the hustings, and which diminished by degrees, but certainly to the very smallest amount, the majorities of the Whig Government. At the same time, there were great orators and great leaders in both Houses of Parliament: persons, too, of every grade. There was, which was a great glory, the Duke of Wellington at the top; and at the bottom, with ready though smaller services, were the runners of the Carlton. Yet there was one thing which was wanting to this great Conservative party, and that was, some public object for which to contend. Mr. Burke says that a party means "a union of men for some great object of public welfare;" but such a union did not exist among that party. The opinions of many hon. Gentlemen who have spoken in the course of this discussion against the measure of the Government were very decided, and in all cases, no doubt, very honest. I think,

however, that often they were exceedingly narrow. These opinions were, that protection, that the whole system of protection to native industry, was bound up with the prosperity of this country. They had also great fears of the Roman Catholics, and demanded that the Protestant ascendancy, the Protestant supremacy, or, as Lord Stanley called it, the Protestant Constitution, should be maintained above all others. Among their leaders such were the views entertained, and I do not doubt honestly entertained; but they chose the right hon. Gentleman, now First Minister of the Crown, who had sat with Mr. Huskisson, was a great promoter of Mr. Huskisson's measures, who had acted with caution, but always advocated and promoted free trade; and the right hon. Gentleman was known, in principle, to be opposed to the system of protection. The right hon. Gentleman, too, was the person who moved the Relief Bill for the removal of the disabilities under which the Catholics laboured; and he repeatedly declared his persuasion that that Act ought not to be repealed, and that it should be observed in the spirit as well as the letter. Those opinions as to free trade and protection, led to the measure of 1842, and have led in time to the measure of 1846. Those opinions as to the Roman Catholics led him to the Maynooth Bill, which met with such violent opposition last year. But then, I ask, what was this great Conservative party? What but a union of men to turn out a Government they disliked; but who, being in office, had no bond of union, and no principle which they held in common. When that opposition was carried on entirely against particular measures of the Whig Government — when these measures were found fault with from day to day, and no general principle was stated as the ground of opposition—when the party was going on in its course with the prospect of final triumph, how came none of those Gentlemen to ask, with Sir Christopher Hatton, "What mean these mighty preparations?" And if it was replied that they could not put the question until the play was begun, and the party in office—then I think that in fairness and candour they should have come to some understanding when in opposition as to the principles on which they meant to act when in power. As it is, I do not wonder that they have been disappointed on this and on other measures. I think the right hon. Gentleman to blame. I think he should not causelessly have reserved his opinion; but that he should have stated to his party fully those principles on which he has since acted—principles in which I can see little to blame, however much they may be blamed by hon. Gentlemen opposite. But to go on week after week, and year after year, in order to overturn a Government, risking the peace and safety of Ireland—risking the security and tranquillity of the Empire, without having some settled views as to the way in which Ireland might be traquillized and the Empire governed—that was a fatal defect in the party; and I am not sorry that that defect should have led to its dissolution. Sir, I can admire the Cavalier of 1645, who defended the Throne against Hampden and Cromwell—Sir, I can admire the Jacobites of 1745, who came forward on behalf of the Stuarts, against that which I think was the right cause—that of the House of Hanover—I can admire the chivalrous spirit, the determined loyalty, the firm adherence to established opinion manifested by the men who contended for those two unfortunate causes. But when I come to this triumphant cause of 1845, I find such an absence of all chivalry, such an absence of all united principle, that I own, in my opinion, it is far better that men who differ so much should be totally disunited. The hon. Gentlemen opposite who have opposed this Bill have considered that it is injurious to the country. I think that they have done themselves credit, not not only by the great talent which they have displayed—undeniable talent—but by the spirit with which they have asserted their opinions. They conceive that this Bill will tend to lower this country among the nations of the globe. I consider on the contrary that it will tend to raise this country among the nations of the globe. I think it will tend to promote peace and amity amongst them, and looking to one—one of the greatest of them all —I am happy to find that there we can see symptoms of returning feelings of amity and good will. And when I read the speeches of Mr. Webster, Mr. Calhoun, and Mr. Benton, I feel anxious to forget all the idle declamation which has been wafted from the other side of the Atlantic. I trust that Her Majesty's Government may be enabled to fix the final limits which shall divide the dominions of England from those of the United States of America, and I trust that the Convention in the Treaty which shall settle that boundary, will be but a prelude to a more intimate connex-

ion between us and that vast commonwealth of free people. I trust, Sir, that we shall together carry on our occupations—manufacturing and agricultural—vying with each other in attempting to make our productions more and more perfect—striving in the neutral markets of the world for pre-eminence—striving, if you will, that we should clothe them, and that they should feed us, but hoping never again to see the bayonets of America and England cross on any bloody field. Sir, with the warmest expression of these wishes that such may be the first-fruits of this Bill—which I trust to see carried by a large majority in the other House of Parliament—I have only to add that the Motion for the third reading has my honest and hearty support.

SIR R. PEEL said: Sir, I believe it is now nearly three months since I first proposed, as the organ of Her Majesty's Government, the measure which, I trust, is about to receive to-night the sanction of the House of Commons; and, considering the lapse of time—considering the frequent discussions—considering the anxiety of the people of this country that these debates should be brought to a close, I feel that I should be offering an insult to the House—I should be offering an insult to the country, if I were to condescend to bandy personalities upon such an occasion. Sir, I foresaw that the course which I have taken from a sense of public duty would expose me to serious sacrifices. I foresaw as its inevitable result, that I must forfeit friendships which I most highly valued—that I must interrupt political relations in which I felt a sincere pride; but the smallest of all the penalties which I anticipated were the continued venomous attacks of the Member for Shrewsbury. Sir, I will only say of that hon. Gentleman, that if he, after reviewing the whole of my public life—a life extending over thirty years previously to my accession to office in 1841—if he then entertained the opinion of me which he now professes; if he thought I was guilty of these petty larcenies from Mr. Horner and others, it is a little surprising that in the spring of 1841, after his long experience of my public career, he should have been prepared to give me his confidence. It is still more surprising that he should have been ready—as I think he was—to unite his fortunes with mine in office, thus implying the strongest proof which any public man can give of confidence in the honour and integrity of a Minister of the Crown. Sir, I have explained more than once what were the circumstances under which I felt it my duty to take this course. I did feel in November last that there was just cause for apprehension of scarcity and famine in Ireland. I am stating what were the apprehensions I felt at that time, what were the motives from which I acted; and those apprehensions, though they may be denied now, were at least shared then by those hon. Gentlemen who sit below the gangway (the protectionists). The hon. Member for Somersetshire expressly declared that at the period to which I referred he was prepared to acquiesce in the suspension of the Corn Laws. An hon. Member also, a recent addition to this House, who spoke with great ability the other night, the hon. Member for Dorsetshire (Mr. Seymer) distinctly declared that he thought I should have abandoned my duty if I had not advised that, considering the circumstances of Ireland, the restrictions on the importation of foreign corn should be temporarily removed. I may have been wrong, but my impression was, first, that my duty towards a country threatened with famine required that that which had been the ordinary remedy under all similar circumstances should be resorted to—namely, that there should be free access to the food of man from whatever quarter it might come. I was prepared to give the best proof which public men generally can give of the sincerity of their opinions, by tendering my resignation of office, and devolving upon others the duty of proposing this measure; and, Sir, I felt this—that if these laws were once suspended, and there was unlimited access to food, the produce of other countries, I, and those with whom I acted, felt the strongest conviction that it was not for the public interest—that it was not for the interest of the agricultural party, that an attempt should be made permanently to reimpose restrictions on the importation of food. I could not propose the re-establishment of the existing law with any guarantee for its permanence. As the noble Lord says, I had acted with Mr. Huskisson in 1822, 1825, and 1826, in revising the commercial system, and applying to that system the principle of free trade. In 1842, after my accession to office, I proposed a revision of the Corn Laws. Had anything taken place at the election of 1844 which precluded that revision? Was there a public assurance given to the people of this country, at the election of 1841, that the existing amount of protection to agri-

culture should be retained? ["Yes, yes!"] There was, was there? Then, if there was, you were as guilty as I. What was the assurance given? If it was that the amount of protection to agriculture which existed in 1843 and 1841 should be retained, opposition ought to have been made by you to the revision of that system in 1842. Why was the removal of the prohibition on the importation of foreign meat and foreign cattle assented to? That removal must have been utterly at variance with any assurance that the protection to agriculture, which existed in 1840 and 1841, should be retained. Yet that removal was voted by the House by large majorities; and after the Bill of 1842, was I not repeatedly asked this question, "Now that you have passed this Bill establishing a new Corn Law, will you give a public assurance that to that you will at all times adhere?" Did I not uniformly decline to give any such assurance? I said I had no intention of proposing an alteration of that law at the time when the question was put to me; but I distinctly declared that I would not fetter for ever my discretion by giving such a pledge. These things are on record. It was quite impossible for me, consistently with my own convictions, after a suspension of import duties, to propose the re-establishment of the existing law with any security for its continuance. Well, then, the question which naturally arose was this—shall we propose some diminished protection to agriculture, or, in the state of public feeling which will exist after the suspension of restriction, shall we propose a permanent and ultimate settlement of the question? To be of any avail, it must have been diminished greatly below its present standard, and that diminution, I believe, would have met with as much opposition from the agricultural body as the attempt finally to settle the question. And now, after all these debates, I am firmly convinced that it is better for the agricultural interest to contemplate the final settlement of this question, rather than to attempt the introduction of a law giving a diminished protection. My belief is, that a diminished protection would in no respect conciliate agricultural feeling; and this I must say, nothing could be so disadvantageous as to give an ineffectual protection and yet incur all the odium of giving an adequate one. What have we been told during this discussion? With scarcely an exception, I have listened attentively to every speech that has been made on this side of the House; and, admitting the talent that has been displayed, I confess they have in no respect altered the conviction upon which I have acted. You tell me it would have been possible, with such support as I should have received, to have continued the existing law; I believe it might have been. As far as the gratification of any personal object of ambition is concerned — (*Interruption*) — I am perfectly ready to listen to any reply that may be made to my observations, and I think it is hardly fair to attempt to interrupt me by such exclamations, but it has so far succeeded. [The right hon. Baronet paused a few moments and then continued.] I am told that it would have been possible to continue this protection; but, after the suspension of it—for I now assume that the suspension would have been assented to on account of the necessities of Ireland—the difficulty of maintaining it would have been greatly increased; because it would have been shown, after the lapse of three years, that, although it had worked tolerably well during the continuance of abundance, or at least of average harvests, yet at the moment it was exposed to the severe trial of scarcity, it then ceased to effect the object for which it was enacted, and that in addition to the state of public feeling with reference to restrictions or imports generally, would have greatly added to the difficulty of maintaining the law. There would have been public proof of its inefficiency for one of the great objects for which it was enacted. But let me say, although it has not been brought prominently under consideration, that, without any reference to the case of Ireland, the working of the law, as far as Great Britain is concerned, during the present year has not been satisfactory. You would have had to contend not merely with difficulties arising from suspension on account of the case of Ireland, but it would have been shown to you, as it now could be shown to you, that the rate of duty has been high on account of the apparent lowness in the price of corn; while that lowness of price has arisen not from abundance in quantity, but from deficient quality. It would have been shown, and conclusively, that there are greater disparities of price in most of the principal markets of this country—between corn of the highest quality and of the lowest, than have ever existed in former periods. It would have been proved that there never was a greater demand than there has been during the

present year for wheat of fine quality for the purpose of mixing with wheat of inferior quality, which forms the chief article brought for sale into our domestic markets. It would have been shown you that had there been free access to wheat of higher quality than they have assumed, the whole population of this country would for the last four months have been consuming bread of a better quality. My belief, therefore, is, that in seeking the re-enactment of the existing law after its suspension, you would have had to contend with greater difficulties than you anticipate. Still I am told, "You would have had a majority." I think a majority might have been obtained. I think you could have continued this law, notwithstanding these increased difficulties, for a short time longer; but I believe that the interval of its maintenance would have been but short, and that there would have been, during the period of its continuance, a desperate conflict between different classes of society; that your arguments in favour of it would have been weak; that you might have had no alternative at an early period, had the cycle of unfavourable harvests returned—and who can give an assurance that they would not?—that you might at an early period have had no alternative but to concede an alteration of this law under circumstances infinitely less favourable than the present to a final settlement of the question. The hon. Gentleman the Member for Dorsetshire said, "We can fight the League with their own weapons;" that is to say, finding that we cannot control by law those measures resorted to by the Anti-Corn-Law League, which I cannot defend, and which I very sincerely reprobate were ever resorted to—the establishment of voters in counties, not being naturally voters in those counties—the hon. Gentleman said, "We can make fagot votes as well as they;" and the landed interest, he said, by the greater facilities which they possess, would be able to beat the League. Well, but what a sad alternative is this! What a sad conflict to be carrying on! Even admitting that it would be necessary, and might be done from honest convictions of that necessity, could you do it without destroying the county constituencies? Surely, it is wise to consider the alternative; and, believe me, you who are anxious for the maintenance of the aristocratic system, you who desire wisely, and justly desire, to discourage the infusion of too much of the democratic principle into the Constitution of the country, although you might for a time have relied on the fagot votes you created in a moment of excitement, yet the interval would not be long before that weapon would break short in your hands! You would find that those additional votes created for the purpose of combating the votes of the League, though when brought up at the first election, under the influence of an excitement connected with the Corn Laws, they might have been true to your side, yet, after the lapse of a short time, some exciting question connected with democratic feelings would arise, and then your votes and the votes of the League, not being subjected to legitimate influence, would unite, and you would find you had entailed on the country permanent evils; destroying the Constitution for the purpose of providing a temporary remedy. It was the foresight of these consequences—it was the belief that you were about to enter into a bitter and, ultimately, an unsuccessful struggle, that has induced me to think that for the benefit of all classes, for the benefit of the agricultural class itself, it was desirable to come to a permanent and equitable settlement of this question. These are the motives on which I acted. I know the penalty to which I must be subject for having so acted; but I declare, even after the continuance of these debates, that I am only the more impressed with the conviction that the policy we advise is correct. An hon. Gentleman in the course of this evening, the hon. Member for Sunderland (Mr. Hudson), informed us that he had heard that there was excitement about the Corn Laws; but he undertook to give a peremptory contradiction to that report, for he never recollected any public question being proposed involving such great interests, which, on the whole, was received by all classes concerned—by the manufacturing and by the agricultural classes—with less excitement and with a greater disposition to confide in the wisdom of the decision of Parliament. Well, if that be so—if this question is proposed at such a time— [Mr. HUDSON: No, no.] I certainly understood the hon. Member to make that statement. [Mr. HUDSON: I will explain after.] I may be mistaken, and of course I am, if the hon. Member says so; but I understood him to say, that so far from there being any undue excitement, he thought that there was much less than could have been expected, and that all parties were disposed

to acquiesce in the decision of Parliament.

Mr. HUDSON: What I stated I believe was this: that there was no excitement in favour of the Bill—not that there was a deep feeling on the part of the agriculturists against it, but that there was no public excitement in its favour.

Sir R. PEEL: That varies very little from the expressions I used, and entirely justifies the inference which I drew. If there be no excitement in favour of the Bill, and no strong feeling on the part of the agriculturists against it, it appears to me that this is not an unfavourable moment for the dispassionate consideration by Parliament of a subject otherwise calculated to promote excitement on the part of one class, and to cause great apprehension on the part of the other; and the hon. Member's statement is a strong confirmation of my belief that it is wise to undertake the settlement of this question when there is such absence of excitement, rather than to wait until a period when unfavourable harvests and depressed manufactures may have brought about a state of things which may render it less easy for you to exercise a dispassionate judgment on the matter. Sir, I do not rest my support of this Bill merely upon the temporary ground of scarcity in Ireland. I do not rest my snpport of the Bill upon that temporary scarcity; but I believe that scarcity left no alternative to us but to undertake the consideration of this question; and that consideration being necessary, I think that a permanent adjustment of the question is not only imperative, but the best policy for all concerned. And I repeat now that I have a firm belief that it is for the general benefit of all—for the best interests of the country, independent of the obligation imposed on us by temporary scarcity, it is for the general interests of the great body of the people that an arrangement should be made for a permanent removal of the restrictions upon the introduction of food. I will assign my reasons for that opinion. I take my facts from the opponents of this measure. I take the speech of the hon. Gentleman the Member for Oxfordshire—a speech distinguished by all the ability and usual earnestness and research of the hon. Gentleman. We shall have no difference respecting our facts, for I shall take them from the opponents of the measure. The only question is as to the just inference to be drawn from these facts. The hon. Gentleman said—"Allowing that the facts and figures which we have produced for the last thirty years are correct, then I find that there has been a great increase in trade—that there has been a cheapening of commodities; but there has been an improvement in the social condition of the great masses of the people." Now, all of you admit that the real question at issue is the improvement of the social and moral condition of the masses of the population; we wish to elevate in the gradation of society that great class which gains its support by manual labour—that is agreed on all hands. The mere interest of the landlords—the mere interest of the occupying tenants, important as they are, are subordinate to the great question—what is calculated to increase the comforts, to improve the condition, and elevate the social character of the millions who subsist by manual labour, whether they are engaged in manufactures or in agriculture? What, then, says the hon. Member for Oxfordshire? Take his statements to be correct; and they suggest matter for grave consideration. Here is a country in which wealth has increased—in which trade has increased—in which commodities have been cheapened; but, said the hon. Gentleman, "the social condition of the people has not been raised; I have tried it by every test by which I can determine the fact, and the conclusion I come to is that it has not." If that be so, is it not a formidable state of things? If increased wealth and enjoyment—if increased trade and cheaper commodities have not given the people more contentment, have not elevated them in the moral scale—if the moral and social improvement of those who form the foundation and platform of society has not advanced, is that not a subject of serious reflection? He says, "I look to the state of crime—it has increased; I look to the great articles, not of consumption, but of luxury, which have become necessities; I look to sugar, to tea, and to other articles of a similar nature, and I find there has been no corresponding increase of consumption." He says—"I draw my inferences from the facts and the statistics of the last thirty years." Well, let us go back to the period at which the thirty years commence. That is the year 1815. Then began the present system of protection to agriculture. You say you have carefully considered this state of things—that you have looked at them for the last thirty years; and you find increased wealth, increased trade, but

a deteriorated condition of the people. With what do you compare the condition of the people for the last thirty years? With what preceding period do you institute the comparison? Take any period of the last century. Let us exclude the war; because during the war which began in 1793, there was a great dislocation of capital, and a great derangement of social interest. Our comparison, to take a period of peace similar to that of the last thirty years, must be a period which preceded the French war. We must go to the last century. Take what period you please—take the period from 1700 down to 1791; and now let us compare what was the state of the law when the people, according to your showing, were in a more prosperous condition than during the last thirty years. Let us compare the state of the law at this period, or at any part of this period, as compared with that when protection to agriculture began in 1815. Why, for the first sixty-six years of the last century there was no impediment to the importation of corn. For the first sixty-six years of that century this country was an exporting country. Let me ask you what were the agriculturists of Croatia and Hungary at that time about? Why did they not send us corn? This country was exporting corn at that time—the price of corn was low, and did not exceed 41*s.* What was the law passed in 1773? Why, foreign corn was admitted at a duty of 6*d.*, when the price was above 49*s.* 6*d.*; and under that law, for six years after it was passed, this country was an exporting country. And did agriculture suffer during that period? Why, Sir, there were more Enclosure Bills passed during that period, when there was a free importation of foreign corn—when it might be brought in at a duty of 6*d.* if the price exceeded 49*s.* than ever before. There were not less than 1,560 Enclosure Bills passed. You say, then, that the condition of the people was comparatively better in point of morality and comfort than since 1815. In 1815, the commencement of the period of thirty years, this law was passed—that foreign corn should not be imported into England until after the price had arrived at 80*s.* There was a positive prohibition of foreign corn unless the price arrived at 80*s.* That was the perfection of protection. Was that to continue? You relaxed it. In 1822, you permitted the importation of foreign corn when the price exceeded 70*s.* You altered this law again, which the hon. Member for Newcastle under Lyme (Mr. Colquhoun) ranks with principles and ancient institutions. By the law of 1828, you subjected foreign corn when the price was under 64*s.* to a duty of 23*s.* 8*d.*; when it was at 69*s.* you subjected it to a duty of 16*s.* 8*d.*; and that law remained in force till 1842; and it was under the influence of this law, until you altered it in 1842, that you have the admission of the hon. Gentleman the Member for Oxfordshire, that the social and moral condition of the people has not improved. What, also, did we in 1815? We imposed enormous duties and positive prohibitions upon other articles the produce of foreign countries. At that time the duty upon foreign butter and cheese was 2*s.* 6*d.* and 1*s.* 6*d.* respectively; we raised it to 1*l.* and 10*s.* 6*d.* Therefore, we did in 1815 adopt the principle of strict protection to agriculture; and the hon. Gentleman says that he finds crime increased, and the command over comforts and the moderate luxuries which partake of the nature of necessities lessened. He says that is the result of the inspection of thirty years. So much, then, for the condition of the great body of the people. Now I come to the facts of the hon. Member for the North Riding of Yorkshire. I heard his speech; I was sorry to observe the indisposition under which he laboured—an indisposition which in no degree prevented the exercise of his intellectual faculties, or prevented him from speaking with his usual clearness and power. I ask you to take the facts of the hon. Gentleman since 1815. I am quoting the very expressions he used; the account I am giving of agriculture since that period is not mine, but his. I followed him closely, and took down his account of the condition of agriculture under a state of almost perfect protection. In 1815 you had prohibition of foreign importation till corn exceeded 80*s.*; and these are the historical annals of the hon. Gentleman, the advocate of agricultural protection. In 1816 and 1817, he says, you had severe distress. [Mr. Cayley: In 1815 and 1816.] I think it was after 1815 and 1816—I think it was in 1817, that a Speech was made from the Throne lamenting the state of society, and the efforts that were made by designing men to take advantage of the distress of the country. It was in 1817 that the Habeas Corpus Act was suspended, and the Seditious Meetings Bill was passed. In 1819, the hon. Gentleman said, such was the severity of distress the Six Acts passed into a law.

In 1822, he said, agricultural distress was so intense that a Committee was appointed for the purpose of devising a remedy. He said that at that time the price of wheat—of beautiful wheat—was 40*s.*; that a farmer stated, I think, that where there were 150 persons usually out of employ, there were then 300; and that he had the greatest difficulty, on account of the low price of wheat, in giving employment to the agricultural labourers. From 1822 the hon. Gentleman advanced to 1830, and he said that in 1830, on account of the depressed state of agriculture, we had the "Swing" fires. In 1833 agriculture was again so depressed that it was necessary to appoint a Committee to consider that distress, and to attempt to devise a remedy. He said that there were thirty-five villages in the north of England with a population of 200,000 persons depending upon their labour, and their wages did not exceed 3*s.* 8½*d.* per week per man. In 1834, he said, the Preston operatives presented a petition to this House, in which they complained of poverty, of ignorance, and of vice. The year 1835, he said, was as bad as the year 1822, and prices were so low that the ordinary employment of agriculture could not be afforded. 1836 and 1837, he said, were years of sudden prosperity; but that came to an end in 1838, and there was prostration and suffering from 1839 to 1842. That is the account which the hon. Member gives of the state of agriculture under that protection which was terminated by the Bill of 1842. Now, observe what the hon. Member also said; he said that there was a constant alternation of high prices and of low prices; and he said, differing from many who concur with him in their vote, that the low prices, though caused by favourable harvests, entailed the greatest suffering upon the agricultural classes, and that in 1822 and 1835, the farmer who had sold his wheat for less than 40*s.* complained, on account of the lowness of prices, that he could not give the usual employment. That lowness of price did not arise from competition with foreign corn; there was no foreign corn imported to reduce prices; that low price was caused by competition amongst the home growers of corn. There was a glut of productive harvests, there was no outlet for it, and there was prostration and suffering of the agriculturists in consequence. That is the account which the hon. Member gives of the result of high protection, not upon the manufacturing interest, but upon the agricultural; and when he had given that account—when he had detailed those sufferings on the part of the agriculturists, I was surprised to hear the hon. Gentleman conclude with a quotation—

"Woodman, spare that tree!"

I beg pardon, I am afraid I should have to ask the hon. Member to supply me with the verse, but the purport of it was that not a bough must be touched; that those whom it sheltered in youth ought to let it remain in their old age: after that account of the consequences of this high protection upon the agricultural interest, I was surprised to hear that advice which the hon. Gentleman gave us, not to touch a bough of that tree, under the shade of which agriculture had so long flourished. If he had said—

"Ille et nefasto te posuit die
* * * * * * *
* * agro qui statuit meo
Te, triste lignum, te caducum
In domini caput immerentis"—

I think it would have been a more appropriate quotation. But now, is there no exception to be made from this period of thirty years? Did nothing occur at the latter part of that period of thirty years to exempt it from the stigma which the hon. Gentleman cast upon the preceding part? There have been three years—1843, 1844, and 1845—during which you have had, from some cause or other, the benefits of plenty and of cheapness. During the last three of these thirty years the average price of wheat a little exceeded 50*s.*; and let us see whether during that period that censure will apply which applies to the former period—let us see whether, during the last three years, there has been no increase of comfort, no improvement in morality, no abatement of seditious feeling or disaffection. I care not what may be the cause of the abundance which has prevailed during the last three years; you say the cause is not to be attributed to the Tariff, but that good harvests have produced abundance. Be it so. But there has been comparative abundance. There has been a less outlay required for the purchase of articles of first necessity. You say there has been a demand for labour on railways. Why, that is an effect, and not a cause. It is on account of your prosperity that you are enabled to apply your capital to internal improvements, causing this demand for labour and giving increased wages; and do you believe if wheat had been at 70*s.* in-

stead of 50*s.*, there would have been the same stimulus to the application of capital? But grant that the Tariff of 1842 had nothing to do with the abatement of price in 1843, 1844, and 1845. I will concede it to you that it is attributable to the favour of Providence—to good harvests. But let us see what has been the result of this abundance. I will take the tests of the hon. Gentleman. He says, facts and figures show that there has been no increase of consumption. Now, I will show that during the last three years trade has flourished, capital has accumulated; but that you cannot say of the last three years what you can say of the preceding twenty-seven years—that there has been a deterioration in the social condition of the people. I will first take those articles which enter largely into consumption. I have here a statement of the quantities of certain articles entered for home consumption in the United Kingdom from 1839 to 1841, and from 1843 to 1846, showing the average quantity of each article in each of those periods. In the first three years, when the prices of provisions were high, the average consumption of sugar—for the three years ending in 1841—was 3,826,000 cwt. The average consumption for the last three years ending the 1st of January, 1846, had increased from 3,826,000 cwt. to 4,346,000 cwt. The average consumption of tea in the first three years was 34,685,000 lb. In the last three years it increased to 42,000,000 lb. The average consumption of coffee during the first three years of high price was 27,941,000 lb. annually; the average consumption of the last three years was 31,883,000 lb. The consumption of cocoa in the first three years averaged 1,859,000 lb. annually; in the last three years 2,575,000 lb. Take another article, which, though in a smaller degree, enters largely into the consumption of the poor, and which is not a bad test of their comfort. During the first three years the consumption of currants averaged 175,000 cwt.; in the last three years it had increased to 280,000 cwt. I take then the tests of the hon. Member for Oxfordshire—the consumption of articles necessary to the comfort of the people; and I show him that comparative plenty has produced this change in the command of the working classes over the smaller luxuries of life. I will next come to a more important point—the state of crime. You have now an official record, presented within a few days, of what has been the state of crime in this country during the last thirty years. Now, what was the state of crime during the first periods of twenty-seven years? From the first record in 1805 down to 1842, when the commitments attained the maximum number hitherto recorded, the increase in crime progressed from year to year, until it had extended to above 600 per cent. In 1843 a change commenced. In that year the number of commitments decreased. Within the last six years, three years of great increase of crime have been followed by three years during which the decrease was so considerable, that the number of commitments in 1845 has been reduced to what it was seven years ago. In the three years of high prices, this was the state of crime in each year:—The number of commitments in the first year was 27,187; in the second, 27,760; and in the third, 31,309. During the last three years the number of commitments has been—in the first year, 29,591; in the second, 26,542; and in the third, 24,303. Well, then, I take this other test of criminality and the extension of morality; and I ask whether we can resist the legitimate inference that the comparative cheapness and plenty which have existed during the last three years have had their effect in producing this diminished criminality? The Gentleman who drew up this return says—

"The decrease of commitments in England," for the last three years, "has therefore been general, continued, and extensive, to a degree of which there is no recorded example in this kingdom."

He says again—

"In the sixth class, containing those offences which do not fall within the definitions of the foregoing classes"—violence to the person, and offences against property—"there is a total absence of commitments for seditious riots or sedition."

A total absence of commitments for these offences! Why, can you have a stronger proof of the improvement of a country, apart from the command of comforts, than the fact that there should have been this progressive diminution in commitments, and a total absence of any commitments for sedition or seditious riots? I say, therefore, comparing the result of the three years when we have had diminished protection to agriculture and a reduced price of provisions, with the twenty-seven preceding years, the inference is, just that the diminution of crime is attributable to an increased command over those articles which constitute the food of the people. But you say, "As this happy state of things has arisen during the exist-

ence of the present Corn Laws—as the present Corn Laws have been co-existent with cheapness and plenty, on what principle do you seek to disturb this happy arrangement? You have proved that, co-existent with the Corn Laws, there have been cheapness and happiness; why, then, do you now come forward to propose their alteration?" Why, if you can show me that those laws were the cause of this happiness and plenty, that would no doubt be a strong and powerful reason for their continuance. But it cannot be denied that, simultaneously with a reduced protection to agriculture, there has been not only no diminution in agricultural improvement, but increased exertions, an increased demand for agricultural products, and increased comfort for the people. As you have proceeded downwards from 1815 to 1842, there has been a corresponding benefit from the abatement of protection. If we could anticipate that the law of 1842 would continue to produce all the advantages to which I have referred, that might be a conclusive reason for adhering to it. But you assert that favourable harvests have occasioned these advantages. Why, what guarantee have you for the continuance of favourable harvests? You have had comparatively favourable harvests for the last three years; and you say then, as a matter of necessity, that we ought to continue this law. Continue the law, say I too, if you can prove that this particular law has been the cause of these benefits. If, however, you say that favourable harvests have been the cause, I say then, that that does not constitute any reason for continuing the law. Those who have observed attentively the vicissitudes of the seasons, have remarked that there are cycles of favourable and unfavourable years. There was an unfavourable cycle of years in 1839, 1840, and 1841, during which time there was great distress. There has been since a favourable cycle of years, during which there has been comparative abundance. But supposing that this cycle of years in which we have had unfavourable harvests should again return, have we, I ask, any security that the law of 1842 will enable us to obtain an ample supply of food? Suppose, also, that, co-existent with those unfavourable harvests, we had also a depressed state of manufactures—shall we then be in a favourable position for making any alteration in the law? Remember how short a time has elapsed since we had the state of Paisley, of Sheffield, and of Stockport, brought under our special notice. Now, if these times should again return, after this interval of comparative happiness, when the contrast of our misery will be considerably heightened by the preceding period of happiness which has prevailed, do you believe it would be possible to maintain in existence a law which leaves a duty of 16*s.* a quarter upon wheat when it had arrived at the price of 56*s.*? You may say, "Disregard the progress of public opinion; defy the League; enter into a combination against it; determine to fight the battle of protection, and you will succeed." My firm belief is—without yielding to the dictation of the League or any other body—["Oh, oh!"]—yes, subjecting myself to that imputation, I will not hesitate to say my firm belief is, that it is most consistent with prudence and good policy, most consistent with the real interests of the landed proprietors themselves, most consistent with the maintenance of a territorial aristocracy, seeing by how precarious a tenure, namely, the vicissitudes of seasons, you hold your present protection system—I say, it is my firm belief that it is for the advantage of all classes, in these times of comparative comfort and comparative calm, to anticipate the angry discussions which might arise, by proposing at once a final adjustment of this question. I have stated the reasons which have induced me to take the present course. You may no doubt say, that I am only going on the experience of three years, and am acting contrary to the principles of my whole life. Well, I admit that charge—I admit that I have defended the existence of the Corn Laws—yes, and that up, to the present period, I have refused to acquiesce in the proposition to destroy them. I candidly admit all this; but when I am told that I am acting inconsistently with the principles of my whole life, by advocating free trade, I give this statement a peremptory denial. During the last three years, I have subjected myself to many taunts on this question, and you have often said to me that Earl Grey had found out something indicating a change in my opinions. Did I not say I thought that we ought not hastily to disturb vested interests by any rash legislation? Did I not declare that the principle of political economy suggested the purchasing in the cheapest market, and the selling in the dearest market? Did I not say, I thought that there was nothing so special in the produce of agriculture that should exempt it from the application of this prin-

ciple which we have applied already to other articles? You have a right, I admit, to taunt me with any change of opinion upon the Corn Laws; but when you say, that by my adoption of the principles of free trade I have acted in contradiction to those principles which I have always avowed during my whole life, that charge, at least, I say, is destitute of foundation. Sir, I will not enter at this late hour into the discussion of any other topic. Sir, I foresaw the consequences that have resulted from the measures which I thought it my duty to propose. We were charged with the heavy responsibility of taking security against a great calamity in Ireland. We did not act lightly. We did not form our opinion upon merely local information—the information of local authorities likely to be influenced by an undue alarm. Before I and those who agreed with me came to that conclusion, we had adopted every means—by local inquiry, and by sending perfectly disinterested persons of authority to Ireland—to form a just and correct opinion. Whether we were mistaken or not—I believe we were not mistaken—but, even if we were mistaken, a generous construction should be put upon the motives and conduct of those who are charged with the responsibility of protecting millions of the subjects of the Queen from the consequences of scarcity and famine. Sir, whatever may be the result of these discussions, I feel severely the loss of the confidence of those from almost all of whom I heretofore received a most generous support. So far from expecting them, as some have said, to adopt my opinions, I perfectly recognize the sincerity with which they adhere to their own. I recognize their perfect right, on account of the admitted failure of my speculation, to withdraw from me their confidence. I honour their motives, but I claim, and I always will claim, while intrusted with such powers and subject to such responsibility as the Minister of this great country is intrusted with, and is subject to—I always will assert the right to give that advice which I conscientiously believe to be conducive to the general well-being. I was not considering, according to the language of the hon. Member for Shrewsbury, what was the best bargain to make for a party. I was considering first what were the best measures to avert a great calamity, and, as a secondary consideration, to relieve that interest which I was bound to protect from the odium of refusing to acquiesce in measures which I thought to be necessary for the purpose of averting that calamity. Sir, I cannot charge myself or my Colleagues with having been unfaithful to the trust committed to us. I do not believe that the great institutions of this country have suffered during our administration of power. The noble Lord (Lord J. Russell) says he hopes that the discussions which have threatened the maintenance of amicable relations with the United States will be brought to a fortunate close. Sir, I think I can appeal to the course which we have pursued, against some obloquy, some misconstruction, some insinuations, that we were abandoning the honour of this country—I think I can appeal to the past experience of this Government, that it has been our earnest desire, by every effort consistently with the national honour, to maintain friendly relations with every country on the face of the globe. This principle, so long as we are entrusted with the management of public affairs, will continue to influence us in respect to the settlement of our unfortunate differences with the United States. Sir, if I look to the prerogative of the Crown—if I look to the position of the Church—if I look to the influence of the aristocracy—I cannot charge myself with having taken any course inconsistent with Conservative principles, calculated to endanger the privileges of any branch of the Legislature, or of any institutions of the country. My earnest wish has been, during my tenure of power, to impress the people of this country with a belief that the Legislature was animated by a sincere desire to frame its legislation upon the principles of equity and justice. I have a strong belief that the greatest object which we or any other Government can contemplate should be to elevate the social condition of that class of the people with whom we are brought into no direct relationship by the exercise of the elective franchise. I wish to convince them that our object has been so to apportion taxation, that we shall relieve industry and labour from any undue burden, and transfer it, so far as is consistent with the public good, to those who are better enabled to bear it. I look to the present peace of this country; I look to the absence of all disturbance—to the non-existence of any commitment for a seditious offence; I look to the calm that prevails in the public mind; I look to the absence of all disaffection; I look to the increased and growing public confidence on account of the course you have taken in relieving trade from restric-

tions, and industry from unjust burdens; and where there was dissatisfaction I see contentment, where there was turbulence I see there is peace; where there was disloyalty I see there is loyalty; I see a disposition to confide in you, and not to agitate questions that are at the foundations of your institutions. Deprive me of power to-morrow, you can never deprive me of the consciousnes that I have exercised the powers committed to me from no corrupt or interested motives—from no desire to gratify ambition, or attain any personal object; that I have laboured to maintain peace abroad consistently with the national honour, and defending every public right—to increase the confidence of the great body of the people in the justice of your decisions, and by the means of equal law to dispense with all coercive powers—to maintain loyalty to the Throne, and attachment to the Constitution, from a conviction of the benefit that will accrue to the great body of the people.

Mr. DISRAELI: Mr. Speaker, the right hon. Gentleman having made an insinuation against me, which the cheer of his supporters opposite showed to me had conveyed a very erroneous impression, I think the House will feel that under these circumstance it is not presumptuous in me to ask a moment's attention to a subject so peculiarly personal as the insinuation of the right hon. Gentlemen. I understand the insinuation of the right hon. Gentleman, if it meant anything, to be this—that my opposition, or, as he called it, my envenomed opposition to him, was occasioned by my being disappointed of office. Now, having been for five years in opposition to the late Government, an active, though I well know not an influential, supporter of the right hon. Gentleman, and having been favoured by him with an acknowledgment of his sense of my slight services, I do not think there would have been anything dishonourable for me if, when the new Government was formed in 1841, I had been an applicant for office. It might have been in good taste or not, but at least there would have been nothing dishonourable; but I can assure the House nothing of the kind ever occurred. I never shall—it is totally foreign to my nature—make an application for any place. But in 1841, when the Government was formed—I am sorry to touch upon such a matter, but insinuations have been made by paragraphs in the newspapers, and now by charges in this House—I have never adverted to the subject, but when these charges are made, I must—in 1841, when the Government was formed, an individual possessing, as I believe him to possess, the most intimate and complete confidence of the right hon. Gentleman, called on me and communicated with me. There was certainly some conversation—I have certainly never adverted to these circumstances, and should not now unless compelled, because they were under a seal of secrecy confided in me. There was some communication, not at all of that nature which the House perhaps supposes between the right hon. Gentleman and me, but of the most amicable kind. I can only say this—it was a transaction not originated by me, but which any Gentleman, I care not how high his honour or spirit, might entertain to-morrow. I need not go into my conduct consequent on that occasion. If I took my course in this House, according to the malevolent insinuations made, I do not mean by the right hon Gentleman, but by others, and now they are sneered at by him. ["Oh, oh!"] Some person says, "Oh, oh." If I thought the majority of the House believed that I was under the influence of motives of this character when I rose, I certainly should never rise again in this House. ["Question!"] This is the question—it is a fair personal explanation. I say a communication was made to me—not authorized by the right hon. Gentleman—he is not fond of authorizing people—but a communication was made to me—though no doubt there may have been mistakes and misconceptions. But with reference to the course I afterwards followed, I declare I never took a decided step until my constituents, in consequence of the pledges I had given in 1843, called upon me for a definite explanation of my opinions on the question of protection. This was two years after the circumstance of which I have spoken took place. I then gave a silent vote against the policy of the right hon. Gentleman. The year after that I opposed him, but no one could call it an envenomed opposition. The instant I did that these rumours were circulated. The right hon. Gentleman, I dare say, alluded in a moment of inadvertence or great irritation to this subject. ["Oh, oh!"] To me it is perfectly immaterial, whatever he may have intended. There is a line between public and private communications. It was not till I took that line that these rumours were circulated. A Gentleman, a Member of this House, who has allowed me to mention his name, told me that a Member of

the Government—I believe a Member of the Government—told him that a Cabinet Minister had a letter in his pocket from me, asking for the Ministry at Madrid, and that it would be read aloud the next time I attacked the Government. These rumours were always circulated—they were put forward directly or indirectly—but I can say that I never asked a favour of the Government, not even one of those mechanical things which persons are obliged to ask; yet these assertions were always made in that way, though I never asked a favour; and, as regards myself, I never, directly or indirectly, solicited office. Anything more unfounded than the rumour circulated to-night, that my opposition to the right hon. Gentleman has ever been influenced by such considerations, there cannot be. [*Interruption.*] If my explanation be not satisfactory, it is only because I am prevented from making it. But I have only one observation to make. It is very possible if, in 1841, I had been offered office, I dare say it would have been a very slight office, but I dare say I should have accepted it. I have not that high opinion of myself as to suppose that the more important offices of the Government would have been offered to my acceptance; but I can only say I am very glad I did not accept it. But with respect to my being a solicitor of office, it is entirely unfounded. Whatever occurred in 1841 between the right hon. Gentleman and myself was entirely attributable to the intervention of another Gentleman whom I supposed to be in the confidence of the right hon. Baronet, and I dare say it may have arisen from a misconception. But I do most unequivocally, and upon my honour, declare that I never have for a moment been influenced by such considerations in the House.

SIR R. PEEL: The hon. Gentleman has not correctly stated that which I said. I did not say that he was influenced in his opposition by personal motives. The words I said were these: "If he, reviewing my political life previously to 1841, which was of the duration of thirty years, really believed that I deserved the character he gave of me to-night, that then it was not right that in 1841 he should accept me as a leader, and not only accept me as a leader, but that he should have intimated to me that he was not unwilling to give that proof of confidence that would have been implied by the acceptance of office."

LORD G. BENTINCK: Sir, the right hon. Baronet at the head of the Government has appealed to the cheapness of food for the last three or four years, and to the measures that have been adopted for removing restriction upon articles chiefly entering into the consumption of the people as the cause for that cheapness. I admit that the greater command of the necessaries of life, which I am glad to hear the people of this country have enjoyed during the last few years, has contributed much, perhaps more than anything, to their happiness, contentment, and morality. But, Sir, I maintain that this improvement in the condition of the people, has not arisen from any great importation of foreign corn—for that cheapness and that plenty we are indebted in the first place to the bounty and blessing of that Great Being whom it is not the fashion of Her Majesty's Ministers to mention, unless it is to couple the name of Providence with the calamity that has lately visited Ireland. I appeal, Sir, to her Majesty's Speech from the Throne as a proof that I have not exaggerated the statement of the Ministers. Sir, since 1842, there have been imported into this country in the course of the last four years, 4,900,000 quarters of corn—a quantity not upon an average exceeding that imported in previous years. But in the years 1844 and 1845 there were no such great importations of foreign corn; and it is to the abundant nature of the harvest, to the great plenty of home-grown corn, and because we were under no necessity to send some 10,000,000*l.* to foreign countries to buy the corn the produce of these countries—it is to these causes, and to the consequent abundance of money in this country, that we are to ascribe in a great measure the speculation in railways, and the increased employment to various classes in this country. I appeal to every man who knows any thing of the commercial state of this country to say, whether it was not to railways, to the employment of the people, and the increased rate of wages, that the great prosperity of the last few years is to be ascribed? Sir, the right hon. Baronet the Secretary of State for the Home Department has said, that this is not an exclusively agricultural country; I presume, Sir, it is as much an agricultural country now as on the 10th of June last year. When answering the speech of the hon. Member for Wolverhampton (Mr. Villiers), the right hon. Baronet said, there were not more than one-third of the people engaged in agricultural pursuits. The right hon. Baronet made this state-

ment upon the occasion I have referred to; but, perhaps he will permit me to remind him that he left out of his calculation the whole of the population of Ireland—eight millions of the Irish people, who, he has said, depend altogether upon agricultural pursuits, and are engaged in no other produce than that of food, and who have no other means of subsistence than that derived from raising corn and food. Sir, an attempt has been made now to state, that we have become not an agricultural, but altogether a manufacturing country. No doubt a large portion of the people are engaged in manufactures; but those who derive a subsistence from agricultural pursuits, are far greater in number. The largest number that has ever been ascribed as being engaged in manufactures does not exceed 100,000, and 200,000 in mines and employed in the manufacture of metals. Now, what is the number of those said to be engaged in agriculture? Why, Sir, exclusive of the eight millions which, the right hon. Baronet the Secretary of State for the Home Department says, depend for subsistence upon agriculture in Ireland, there are 800,000 labourers engaged in agriculture. We are told that in advocating this measure we are actuated by selfish motives. Why, Sir, have those who made that imputation for a moment considered how many persons are engaged, in addition to the labourers, in the cultivation of the soil? Hon. Gentlemen opposite would fain have it supposed that the Members of the House of Commons, and perhaps those of the House of Peers, are the only persons whose interests are involved in the maintenance of protection to agriculture. Now, Sir, I should be glad to know how many other persons are interested in protection to British agriculture. Upon reference to returns made in the year 1812, I find of the occupiers of land paying a rent under 66*l.* 13*s.* 4*d.* each, there were no fewer than 114,000 persons. There were of those assessed under 200*l.*, 400,000 more, and altogether 578,000 persons assessed under 200*l.* per annum. Why, Sir, are not the hon. Gentlemen who charge the Members of this and the other House with being the only persons interested in maintaining protection to agriculture, aware, that the landed aristocracy cannot fall without those 578,000 persons and their families, and the 3,000,000 of persons, exclusive of agricultural labourers, falling with them? And what are the numbers of those of greater fortune? There were, in the year 1812, 42,000 persons dependent upon agriculture who were assessed at sums exceeding 200*l.* per annum. Is it not, then, absurd for hon. Gentlemen to say that we are only looking to our own interests? Sir, we are advocating the cause of the largest class in this country; but while we are advocating the cause of the great and important agricultural interests, we are not attempting to introduce any measures hostile to the cause of manufactures. I am aware that manufacturers, by purchasing foreign corn, may induce the countries producing that corn to take extensively in return their manufactured articles; but when we look to the corn-growing countries on the one hand, and to our commercial relations on the other, there is no foundation for cherishing a hope of a great increase of trade with them. Look at Russia. You already take from Russia five millions of her produce, while she only takes two millions from you in return. Already, therefore, if it be a question of ability to purchase, Russia would have no difficulty on that head. [*Cries of* "Adjourn!"] I understood it was the general wish of the House that the debate should be concluded to-night. I am always sorry to trespass upon the attention of the House; but I assure you that in claiming this kind indulgence now, I am only actuated by that which I consider to be a binding obligation. I have alluded also to Prussia. Prussia takes two millions sterling a year produce; while you take from her between two and three millions. If you import great quantities of corn from Prussia, the right hon. Gentleman has told you that it cannot be done without great displacement of the labour of our own people; and what hope have you that either Russia or Prussia will take your manufactures in return? What is the case, again, with the United States of America? From the United States your imports, at the lowest computation, amount to something like 10,000,000*l.* a year; but they only take from you, in return, about 7,000,000*l.* thus sending 3,000,000*l.* more than she takes. And where is the hope that, for every pound's worth of corn you take from America, she will take a pound's worth of your cotton in return? But what is the state of the foreign trade? The entire amount of your foreign exports does not exceed in value one-third of the whole manufactures of this country. But the whole consumption of foreign goods is at least double that of your entire exports to fo-

reign countries—and more than one-half of that is exported to countries that do not yield any corn in exchange. The entire consumption of manufactures of all kinds in this country, in your home market, does not fall short of 195,000,000*l.* sterling per annum; and if such be the case, surely it is clear that your home market, exclusive of your Colonies, ought to be of more consideration than your foreign market. But there are other circumstances and other interests also to be taken into account. There is, for instance, the shipping interest. You have engaged, in the coasting corn trade alone, no fewer than from 40,000 to 50,000 seamen annually, whilst your foreign trade only employs a small proportion of your carrying trade. Last year there were only 5,000 seamen engaged in the foreign corn carrying trade, whilst the seamen of foreign nations engaged in it amounted to 9,000*l.* But are the seamen alone concerned? I would ask the publicans, victuallers, and shopkeepers of our seaport towns, whether the arrival of a foreign ship, carrying corn, or of a British vessel, in their harbours, caused the larger expenditure of money among them in the purchase of such articles as might be required? Depend upon it, the more this subject is considered the clearer will it appear that there will be many that will suffer by this change, in addition to the agricultural interest itself—many who are not seen in the cursory glance which we are apt to take of this question. Again, no fewer than 11,600 seamen were engaged for nine months of last year in the importation of guano; and if you thus proceed to discourage agriculture, do you think that any more guano will be purchased? The right hon. Gentleman the Secretary of State for the Home Department, on a former occasion, appealed, as an evidence that there existed no alarm in respect of those measures of the Government, to the fact of the introduction of a Bill which bore my name on the back of it, for the recovery of 30,000 or 40,000 acres of land from the encroachment of the sea. But when was it that that measure originated? In 1837; and it was only at the end of the year 1844 that there was reason to believe that the work to be undertaken under that Bill would be carried into execution, and at that time I had good reason to confide in the stability and permanence of the then existing system. It is the right hon. Baronet the Home Secretary—he who took so prominent a part in displacing from power the Whig Government in 1841—he it is who said, "Thank God, we are about to be relieved from the curse of so reckless a Government!" and turned out the Whigs because they advocated a fixed duty of an amount so low as 8*s.* a quarter—he it is who subsequently withdrew, after having accepted office, to his constituents at Dorchester, and then put up that celebrated invocation—

> "May I be cold before that dreadful day,
> Pressed by a load of monumental clay!"

And am I, the proposer of the measure to which the right hon. Baronet has referred—I, who was the chairman of the company that originated this scheme—I, who had placed my confidence in the right hon. Gentleman, and who had followed him through evil report and good report for eighteen years, until now, when I felt I could no longer do so consistently with my political honour—am I to be told now, that my having introduced the Bill to which he refers is a proof of the confidence we entertain in the present Government? I can tell the right hon. Gentleman (Sir J. Graham, this—that there was great hesitation as to whether we should proceed with the measure or not at the time; and I do not doubt, that were it not from that natural frailty of human nature which induces people so frequently to send good money after bad, we should, after having expended no less than 20,000*l.*, have abandoned the measure altogether. But these, Sir, are some of the fallacies on which Her Majesty's Government consents to support free-trade measures. But this is not all. The noble Lord the Member for Falkirk (Lord Lincoln) has appealed to the increased amount for which property, as he states, now sells, as a proof of the confidence of the country in these free-trade measures. On the hustings at Newark, when he was a candidate for South Nottinghamshire, the noble Lord told the electors of that district, and, through them, told the country, that there was a property which, having been purchased for 3,800*l.*, had been sold, on the Friday preceding the day on which he was addressing the electors, for as much as 5,500*l.* Now, this property was purchased originally by a gentleman named Taylor, who is now dead, for the sum of 3,586*l.* 2*s.* 6*d.* If it was true that this property, which originally sold, as the noble Lord says, for 3,800*l.*, had been enhanced in value by these free-trade measures, there

would have been some reason for the reference which has been made to it. But it has been no such thing. This property was, in reality, purchased originally for 3,586*l.* 2*s.* 6*d.* I wish to be accurate, and have no desire to quote wrong figures, or produce erroneous returns—and there was another property bought and added to it, to the amount of 780*l.*; but when the whole together came again to be sold, it realized, not 5,500*l.*, but no more than 4,700*l.* The right hon. Baronet at the head of the Government has asked us to-night why we did not object sooner to his policy, and said that the year 1842 was the period at which we ought to have opposed his measures. But, Sir, I do not know why we should have done so in 1842. True it was, that in opposing the Government of the Queen in 1841 the right hon. Baronet (Sir J. Graham) thanked God that he had pinned his opponents to something out of which they could not wriggle—viz., a fixed duty of 8*s.*; but whilst the right hon. Baronet pledged himself to the sliding-scale, as giving a higher protection than an 8*s.* duty, he said that we were giving an effectual protection to Ireland, in addition to this country and many other interests it contained. Now, this is a proof that, at the time to which I refer, the right hon. Baronet thought that you could not injure agriculture without, at the same time, injuring the manufacturers of this country. He referred to the time of distress at Paisley; but I thought, Sir, that it was exactly about the time of his Corn Bill of 1842 that this season of distress occurred; and, therefore, if he could pass a law at a time when Paisley was in that state, what, let me ask, could happen in Paisley worse than what did happen at the time I speak of; and what could there be to prevent him from maintaining that law, particularly when he had a majority of 90 at his back? Why, Sir, very significant signs—I do not refer to the recent elections that have taken place, but very significant signs were given in the country not very long since, that there would have been confidence in the right hon. Gentleman's Government so long as he maintained protection to agriculture. In Warwickshire an election took place, at which even the Whig candidate dared not to abstain from a profession of support of the agricultural interest—an election which ended in the return of my noble Friend (Lord Brooke), who does his constituents so much honour. There was no opposition, though it was so near to those free-trade towns, Birmingham and Coventry. I think that was a pretty good proof that in Warwickshire there was no unfavourable feeling to agriculture. Then there was another election at Wigan, a manufacturing town, and that was carried by a Protectionist Member. But was there not another striking example? Was not my hon. Friend the Member for Sunderland elected—and did not my hon. Friend come forward at Sunderland, on the distinct ground of protection to British industry, and protection to agricultural interest. There he fought the battle—there he met the hon. Members for Durham and Stockport. All the power of the League was brought to bear upon him, but it was brought to bear in vain. The principles of protection prevailed, and so they would again if Her Majesty's Ministers would appeal to the country. But they dare not appeal to the country. There was a time when the right hon. Baronet at the head of the Ministry took a different view of the feelings of honour which ought to influence a Member of Parliament. In 1829, when he differed in opinion from his constituents in Oxford on bringing forward his Bill for Catholic Emancipation, he then felt it to be his first duty to resign the trust which they had committed to his hands. Though he had given no pledge, yet he had accepted it on an honourable understanding that he would support the principles of Protestant ascendancy. If a feeling of honour bound him then, how comes it that the same feeling of honour does not bind him now? Is it that he is aware that the constituencies of the country—the English constituencies—do not like vacillation—that they do not like tergiversation; and that it is from the hateful experience of those results in one instance, he does not think it safe to try another, either in his own person or in that of his supporters? This measure may be carried. It is not carried yet though. But when the fatal stroke comes—it will not come, it never could come, from its real enemies—it will come, if it comes at all, from its false friends; and it will come in a manner which, in my opinion, will reflect lasting disgrace upon the House and upon the Government. We hear something of justice now from the right hon. Baronet; but he has a Colleague who sits with him in the Cabinet, though he has not a seat in this House, who took a different view of the question of justice in 1843. Mr. Secretary Gladstone said, in 1843, that the Corn Law was a compromise with the agricultural in-

terest, and that it could not be broken without injustice—that it was held to be a final adjustment of the question; and that to dispute that adjustment would be dishonourable to Parliament. But now that right hon. Gentleman consents to sit side by side in the Cabinet with the right hon. Baronet, whose conduct he condemns as dishonourable to the Government, and dishonourable to Parliament. We are told by hon. Gentlemen—we are told by the placemen—the renegade placemen who support Her Majesty's Ministers, we are told by one and all of them, that, as if by some miracle, new convictions had crossed their minds, and that they now entertain a conscientious conviction that their old opinions were wrong. I think that the country will look round about and consider whether there may not have been other inducements besides those of their miraculous conversions. The country will look to the party, and they will find that out of a party numbering 352 Members, there were about 40 placemen, and that of those 40 placemen there were but four honourable exceptions who remained firm and steadfast to their opinions. We have heard something about sincerity from my right hon. Friend the Home Secretary. He said, Let us be sincere. Sir, I wish he were sincere. I wish that he were sincere in all those professions which he has so eloquently made on former occasions in this House. But when we talk of sincerity, no man who heard them can doubt of the sincerity of my noble Friend the Member for Stamford and my hon. Friend the Member for Wenlock, who made great sacrifices, who sacrificed place and favour, to resist the measures of the right hon. Baronet. Sir, when the country looks round and sees that of the forty placemen, only one in ten did not change their opinions, whilst of the remaining 312 Gentlemen, who had not the inducements of place, no less than 240 remained true to their opinions, they will think that there is something more than sincerity in this change of opinions on the part of hon. Members. Sir, if this measure be carried, it will not be carried as a trophy of the victory of any sound political principle; it will not be carried as the trophy of the victory of any honest policy; but it will be carried as a badge of the treachery of Her Majesty's Ministers.

Mr. VILLIERS said, that the noble Lord had commenced his speech by an assertion somewhat presumptuous—that he and his party had a higher regard for religion and honour than the rest of the House: in both respects he must dispute that title. The noble Lord insinuated that when the Government referred the recent improvement of the people to the cheapness of food, they forgot that this cheapness was to be traced to the bounty of Providence—an influence which he said the Ministers had been much disposed of late to forget. He (Mr. Villiers) considered, on the contrary, that this disregard of the bounty of Providence was directly chargeable upon the noble Lord and his party. It was the bounty of Heaven, in this country and abroad, with which Gentlemen opposite were always warring. The noble Lord says, that he is glad when cheapness comes from abundance in this country, and admits the blessing it confers on the people. But the noble Lord knows nothing of the history of his subject, or the objects of his party, if he believes that such was, or had ever been, their view of cheapness and plenty. The law was passsd to prevent cheapness; and whenever it failed in its object, his party had never omitted to complain of it as an evil. Let the noble Lord ask the hon. Member for Somerstshire if he could deny this? The hon. Member for Somersetshire had, but without reference to its cause, distinctly and often complained of the fact of cheap food, though he never had attempted to deny the blessing it was of to the people. It was then of the bounty of Providence that they complained; and what was it that the noble Lord had been doing himself for so many weeks past, but complain of the abundance of other countries which, by free trade, might be made accessible to the people of this country? But was abundance abroad not equally the bounty of Providence as the abundance at home? And when the Ministers had proposed a measure giving the people access to it, and the noble Lord tried to defeat that measure, were they or the noble Lord with most justice chargeable with indifference to the gifts of Providence? It was precisely to enable the people to enjoy these blessings that we had been labouring so long; and when the hon. Member for Shrewsbury said that they had abandoned all their leading positions, one of which was to make the necessaries of life abundant, which he calls the cry of "cheap bread," he (Mr. Villiers) told him that there was no foundation for such a statement; and he reflected upon it with satisfaction that, during the annual discussion which for nine years past had taken

place on this question, there was no fact, no argument, no opinion that he had ever stated in support of the question that was not now recognised as true, or that he had reason to retract. They had been admitted to be sound by the measure itself before the House, and the arguments by which it had been supported; but above all, by their having, during the long and dreary debates of this Session, received no answer or refutation from the Gentlemen opposite. It had been shown how the law had failed in all its pretences of advantage, and how it had verified every prediction of mischief which would follow from it. Gentlemen opposite could have no better proof of their failure than the fact that the more they had spoken the more time they had wasted, the more they had alienated their partisans from them; and while there was no vestige of panic or alarm at the measure out of doors, there was as little interest taken in their proceedings against it within the House. There was one circumstance elicited during the debate that had shown the hollowness of all that had been said in favour of the law, and of the little reliance to be placed on it by its friends. He meant the admission that every party in the House would have been willing, upon the apprehended deficiency of food last October, to suspend the Corn Law, and to have considered that the cure for scarcity was to abolish the protection to agriculture—the law which was to produce plenty, and to save the country from scarcity. Yes! the whole House, it seems, deemed the remedy for a deficiency of food, was to abolish the Corn Law. He thought this was a most instructive circumstance, and could not be repeated too often, to show the value of protection; for, in the first place, he asked how this was to be justified to the farmers, who were promised protection against foreign competition? They were told that they could be protected consistently with the welfare of the community, and that they might rely upon its continuance. But how was it more just to them to suspend the law than to repeal it entirely? They are of course less prepared for it just after the harvest than at any other time; and if any loss was to follow from it, it would have been the farmers alone, and no one else, at that time, that would have felt it. Again, if this was the proper remedy last year, who can say it will not be equally required this year? And if the farmer must be subject in future to this suspension of the law, where was the worth of protection to him? But he asked attention to the fact that this was the remedy proposed when famine was expected. Now what was meant by famine? It only meant, in reality, that food would become comparatively scarce, and less accessible to a greater number of people than before; but for this evil every party in the House of Commons considered in last October that the remedy was to suspend the Corn Law! There was no doubt, then, that this would meet the evils of a scarcity of food, and prevent the people from starving, or resorting to coarser food; but if this is the remedy for food being too dear for a few more people than usual, why, he asked, was it not the remedy for the millions who are usually deprived of good and wholesome food on account of its dearness? It was apprehended from a scarcity in England, that perhaps one or two million would find it difficult to get good food; but that is habitually the case in Ireland. Why is not the remedy then which is good in this case for England to be deemed also good for Ireland, suffering as she does habitually from the same malady? When the Government, then, sees that we have to expect periodical scarcity in this country, and as the people increase, that we have to expect we shall be obliged constantly to suspend the Corn Law, what is it but wisdom and justice to all concerned, to remove altogether the barrier to a regular and plentiful supply, and dissipate the delusion under which those who depend on its continuance have ever been placed? It was for this reason that he considered the Ministerial measure an honest one, founded on all the evidence and experience which this country has had offered of its necessity, and one which promises nothing but advantage to the people. It was honestly intended; and Ministers have therefore had the advantage of being able to argue and defend it honestly, which they have done. Had it been founded on the notion that a tax or toll of ten or twenty per cent upon the entry of an article into this country could be imposed, without raising its cost to the consumer, or had it given any sanction to the fancy that a fixed impediment to commerce would not limit the supply because that impediment was fixed, and not fluctuating—or had it proceeded on the principle that food could be wisely taxed for revenue in this country, after the experience they had that whatever raised the price of food impairs the other sources of revenue, it would have been deemed a

fraudulent and delusive measure, and would have failed to obtain the requisite support for its success. The measure has, however, wisely recognised the failure of the experiment of having a Corn Law at all in this country, and provided for its total abolition. The country was therefore under a deep obligation to the Government for the measure; and if there was anything that could enhance that obligation, it was the spirit, ability, and firmness with which it had been supported; and now he asked those hon. Gentlemen opposite to pause before they proclaimed themselves to the country, and transmitted their names to posterity, as having to the last endeavoured to withhold from the people the unquestionable right, the undoubted privilege and great advantage, of carrying the fruits of their industry to the highest market, and of allowing them the freest access to the bounties which Providence, through the industry of other nations, had provided for them. Let them reflect before they vote, that the law of which they are so tenacious has been discredited by all experience, denounced by every intelligent authority, and has, upon facts undisputed, because they are indisputable, been shown to have brought upon the poorest of our fellow creatures as much misery, affliction, destitution, and crime as was ever produced by any pestilence or calamity with which the country was visited. Let them pause then, he said, before they offer to the country and posterity no other or better testimony of their efforts in public life than that of endeavouring to withhold from them a great advantage, and to perpetuate on the poor an enormous wrong.

On the Question, that the word "now" stand part of the Question, the House divided:—Ayes 327; Noes 229: Majority 98.

List of the AYES.

Acheson, Visct.
Acland, T. D.
A'Court, Capt.
Aglionby, H. A.
Ainsworth, P.
Aldam, W.
Anson, hon. Col.
Armstrong, Sir A.
Arundel and Surrey, Earl of
Baillie, Col.
Baine, W.
Bannerman, A.
Barclay, D.
Barkly, H.
Baring, rt. hon. F. T.
Baring, rt. hon. W. B.
Barnard, E. G.
Barron, Sir H. W.
Beckett, W.
Bellew, R. M.
Benbow, J.
Berkeley, hon. C.
Berkeley, hon. Capt.
Berkeley, hon. H. F.
Bernal, R.
Blake, M. J.
Blewitt, R. J.
Bodkin, W. H.
Botfield, B.
Bouverie, hon. E. P.
Bowes, J.
Bowles, Adm.
Bowring, Dr.
Boyd, J.
Bridgeman R.
Bright, J.
Brocklehurst, J.
Brotherton, J.
Browne, R. D.
Browne, hon. W.
Bruce, Lord E.
Buckley, E.
Bulkeley, Sir R. B. W.
Buller, C.
Busfeild, W.
Butler, hon. Col.
Butler, P. S.
Byng, G.
Byng, rt. hon. G. S.
Cardwell, E.
Carew, hon. R. S.
Carnegie, hon. Capt.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Chapman, B.
Chichester, Lord J. L.
Christie, W. D.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Clive, hon. R. H.
Cobden, R.
Cockburn, rt. hn. Sir G.
Colebrooke, Sir T. E.
Collett, J.
Collins, W.
Copeland, Ald.
Corry, rt. hon. H.
Cowper, hon. W. F.
Craig, W. G.
Crawford, W. S.
Cripps, W.
Currie, R.
Curteis, H. B.
Dalmeny, Lord
Dalrymple, Capt.
Damer, hon. Col.
Dashwood, G. H.
Denison, J. E.
Dennistoun, J.
D'Eyncourt, rt. hn. C. T.
Dickinson, F. H.
Divett, E.
Douglas, Sir C. E.
Douro, Marq. of
Drummond, H. H.
Duff, J.
Dugdale, W. S.
Duke, Sir J.
Duncan, Visct.
Duncan, G.
Duncannon, Visct.
Duncombe, T.
Dundas, F.
Dundas, D.
Dundas, hon. J. C.
Easthope, Sir J.
Eastnor, Visct.
Ebrington, Visct.
Egerton, W. T.
Ellice, rt. hon. E.
Elphinstone, Sir H.
Escott, B.
Esmonde, Sir T.
Estcourt, T. G. B.
Etwall, R.
Evans, Sir De Lacy
Evans, W.
Ewart, W.
Feilden, W.
Fielden, J.
Ferguson, Col.
Ferguson, Sir R. A.
Fitzroy, hon. H.
Fitzroy, Lord C.
Fitzwilliam, hon. G. W.
Fleetwood, Sir P. H.
Flower, Sir J.
Forster, M.
Fox, C. R.
Gibson, T. M.
Gill, T.
Gisborne, T.
Glynne, Sir S. R.
Godson, R.
Gore, M.
Gore, hon. R.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Granger, T. C.
Greene, T.
Gregory, W. H.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grosvenor, Lord R.
Guest, Sir J.
Hall, Sir B.
Hallyburton, Lord J. F. G.
Hamilton, W. G.
Hamilton, Lord C.
Hanmer, Sir J.
Hastie, A.
Hatton, Capt. Villiers
Hawes, B.
Hay, Sir A. L.
Hayter, W. G.
Heathcoat, J.
Herbert, rt. hon. S.
Heron, Sir R.
Hervey, Lord A.
Hill, Lord M.
Hindley, C.
Hobhouse, rt. hn. Sir J.
Hogg, J. W.
Hollond, R.
Hope, G. W.
Horsman, E.
Howard, hon. C. W. G.
Howard, hon. J. K.
Howard, hon. E. G. G.
Howard, P. H.
Howard, Sir R.
Hughes, W. B.
Hume, J.
Humphery, Ald.
Hutt, W.
James, W.
James, Sir W. C.
Jermyn, Earl
Jervis, J.
Jocelyn, Visct.
Johnson, Gen.
Johnstone, Sir J.
Johnstone, H.
Kelly, Sir F.
Labouchere, rt. hon. H.
Lambton, H.
Langston, J. H.

Lascelles, hon. W. S.
Layard, Capt.
Leader, J. T.
Legh, G. C.
Lemon, Sir C.
Lincoln, Earl of
Lindsay, hon. Capt.
Loch, J.
Lockhart, A. E.
Lyall, G.
Macaulay, rt. hon. T. B.
Mackinnon, W. A.
M'Carthy, A.
M'Donnell, J. M.
M'Geachy, F. A.
M'Neill, D.
M'Taggart, Sir J.
Mahon, Viset.
Mainwaring, T.
Maitland, T.
Mangles, R. D.
Marjoribanks, S.
Marshall, W.
Marsland, H.
Martin, J.
Martin, C. W.
Masterman, J.
Matheson, J.
Meynell, Capt.
Milnes, R. M.
Milton, Viset.
Mitcalfe, H.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Morpeth, Visct.
Morris, D.
Morison, Gen.
Morrison, J.
Mostyn, hon. E. M. L.
Muntz, G. F.
Napier, Sir C.
Neville, R.
Newry, Visct.
Norreys, Sir D. J.
Northland, Viset.
O'Connell, D.
O'Connell, M. J.
O'Connell, J.
O'Conor Don
Ogle, S. C. H.
Ord, W.
Owen, Sir J.
Paget, Col.
Paget, Lord W.
Paget, Lord A.
Palmerston, Visct.
Parker, J.
Patten, J. W.
Pattison, J.
Pechell, Capt.
Peel, rt. hon. Sir R.
Peel, J.
Pendarves, E. W. W.
Pennant, hon. Col.
Philips, G. R.
Philipps, Sir R. B. P.
Phillpotts, J.
Pigot, rt. hon. D.
Plumridge, Capt.
Polhill, F.
Ponsonby, hon. C. F. A. C.
Powell, C.
Protheroe, E.
Pulsford, R.
Rawdon, Col.
Reid, Sir J. R.
Reid, Col.
Ricardo, J. L.
Rice, E. R.
Rich, H.
Roebuck, J. A.
Romilly, J.
Ross, D. R.
Rumbold, C. E.
Russell, Lord J.
Russell, Lord E.
Russell, J. D. W.
Rutherfurd, A.
Sandon, Viset.
Scott, R.
Scrope, G. P.
Seymour, Lord
Seymour, Sir H. B.
Smith, B.
Smith, J. A.
Smith, rt. hon. R. V.
Smythe, hon. G.
Smollett, A.
Somers, J. P.
Somerset, Lord G.
Somerton, Visct.
Somerville, Sir W. M.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Stewart, P. M.
Stewart, J.
Stuart, Lord J.
Stuart, H.
Strickland, Sir G.
Strutt, E.
Sutton, hon. H. M.
Tancred, H. W.
Thesiger, Sir F.
Thornely, T.
Tollemache, hon. F. J.
Tomline, G.
Towneley, J.
Traill, G.
Trelawny, J. S.
Trench, Sir F. W.
Troubridge, Sir E. T.
Tufnell, H.
Turner, E.
Vane, Lord H.
Vernon, G. H.
Villiers, hon. C.
Villiers, Visct.
Vivian, J. H.
Vivian, hon. Capt.
Wakley, T.
Walker, R.
Wall, C. B.
Warburton, H.
Ward, H. G.
Watson, W. H.
Wawn, J. T.
Wellesley, Lord C.
Wilde, Sir T.
Williams, W.
Wilshere, W.
Winnington, Sir T. E.
Wood, C.
Wood, Col.
Wood, Col. T.
Wrightson, W. B.
Wynn, rt. hn. C. W. W.
Wyse, T.
Yorke, H. R.

TELLERS.

Young, J.
Baring, H. B.

List of the NOES.

Ackers, J.
Adare, Visct.
Adderley, C. B.
Alexander, N.
Alford, Visct.
Allix, J. P.
Antrobus, E.
Arbuthnott, hon. H.
Archbold, R.
Archdall, Capt. M.
Arkwright, G.
Astell, W.
Austen, Col.
Bagge, W.
Bagot, hon. W.
Bailey, J.
Bailey, J., jun.
Baillie, W.
Balfour, J. M.
Bankes, G.
Barrington, Viset.
Baskerville, T. B. M.
Bell, M.
Bell, J.
Benett, J.
Bennet, P.
Bentinck, Lord G.
Bentinck, Lord H.
Blackburne, J. I.
Blackstone, W. S.
Blakemore, R.
Boldero, H. G.
Borthwick, P.
Bradshaw, J.
Bramston, T. W.
Brisco, M.
Broadley, H.
Broadwood, H.
Brooke, Lord
Brownrigge, J. S.
Bruen, Col.
Buck, L. W.
Buller, Sir J. Y.
Burrell, Sir C. N.
Burroughes, H. N.
Campbell, Sir H.
Carew, W. H. P.
Cayley, E. S.
Chandos, Marq. of
Chapman, A.
Chelsea, Visct.
Cholmondeley, hon. H.
Christopher, R. A.
Churchill, Lord A. S.
Chute, W. L. W.
Clayton, R. R.
Clifton, J. T.
Clive, Visct.
Codrington, Sir W.
Cole, hon. H. A.
Collett, W. R.
Colquhoun, J. C.
Compton, H. C.
Conolly, Col.
Courtenay, Lord
Cresswell, B.
Davies, D. A. S.
Deedes, W.
Denison, W. J.
Denison, E. B.
Dick, Q.
Disraeli, B.
Dodd, G.
Douglas, Sir H.
Douglas, J. D. S.
Dowdeswell, W.
Drax, J. S. W.
Duckworth, Sir J. T. B.
Duncombe, hon. A.
Duncombe, hon. O.
East, J. B.
Eaton, R. J.
Egerton, Sir P.
Emlyn, Visct.
Entwisle, W.
Farnham, E. B.
Fellowes, E.
Ferrand, W. B.
Filmer, Sir E.
Finch, G.
Fitzmaurice, hon. W.
Floyer, J.
Forbes, W.
Forester, hon. G. C. W.
Forman, T. S.
Fox, S. L.
Frewen, C. H.
Fuller, A. E.
Gardner, J. D.
Gaskell, J. M.
Gladstone, Capt.
Gooch, E. S.
Gordon, hon. Capt.
Gore, W. O.
Gore, W. R. O.
Goring, C.
Granby, Marq. of
Grogan, E.
Hale, R. B.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Hamilton, J. H.
Hamilton, G. A.
Harcourt, G. G.
Harris, hon. Capt.
Heathcote, G. J.
Heathcote, Sir W.
Heneage, G. H. W.
Heneage, E.
Henley, J. W.
Hildyard, T. B. T.
Hill, Lord E.
Hinde, J. H.
Hodgson, F.
Holmes, hon. W. A.
Hope, Sir J.
Hope, A.
Hotham, Lord
Houldsworth, T.
Hudson, G.
Hurst, R. H.

Hussey, T.
Ingestre, Visct.
Inglis, Sir R. H.
Irton, S.
Jolliffe, Sir W. G. H.
Jones, Capt.
Kemble, H.
Kerrison, Sir E.
Knight, F. W.
Knightley, Sir C.
Lascelles, hon. E.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Lennox, Lord G. H. G.
Liddell, hon. H. T.
Lockhart, W.
Long, W.
Lopes, Sir R.
Lowther, Sir J. H.
Lowther, hon. Col.
Lygon, hon. Gen.
Mackenzie, T.
Mackenzie, W. F.
Manners, Lord C. S.
Manners, Lord J.
March, Earl of
Maunsell, T. P.
Maxwell, hon. J. P.
Mildmay, H. St. J.
Miles, P. W. S.
Miles, W.
Morgan, O.
Morgan, C.
Mundy, E. M.
Neeld, J.
Neeld, J.
Newport, Visct.
Norreys, Lord
O'Brien, A. S.
Ossulston, Lord
Packe, C. W.
Pakington, J. S.
Palmer, R.
Palmer, G.
Pigot, Sir R.
Plumptre, J. P.
Pollington, Visct.
Powell, C.
Rashleigh, W.
Rendlesham, Lord
Repton, G. W. J.
Richards, R.
Rolleston, Col.
Round, C. G.
Round, J.
Russell, C.
Ryder, hon. G. D.
Sanderson, R.
Scott, hon. F.
Seymer, H. K.
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Shirley, E. P.
Sibthorp, Col.
Smith, A.
Smith, Sir H.
Sotheron, T. H. S.
Spooner, R.
Spry, Sir S. T.
Stanley, E.
Stuart, J.
Taylor, E.
Taylor, J. A.
Thompson, Ald.
Thornhill, G.
Tollemache, J.
Tower, C.
Trevor, hon. G. R.
Trollope, Sir J.
Trotter, J.
Turnor, C.
Tyrrell, Sir J. T.
Verner, Col.
Vivian, J. E.
Vyse, R. H. R. H.
Vyvyan, Sir R. R.
Waddington, H. S.
Walpole, S. H.
Walsh, Sir J. B.
Williams, T. P.
Wodehouse, E.
Worcester, Marq. of
Worsley, Lord
Wyndham, J. H. C.
Yorke, hon. E. T.

TELLERS.

Beresford, Major
Newdegate, C. N.

Paired off (*Non-Official*).

NOES.	AYES.
Price, R.	Ellis, W.
Lindsay, H.	Listowel, Lord
Bruce, C. C.	Maule, F.
Brooke, Sir A.	Grattan, H.
Vesey, hon. T.	O'Brien, C.
Bunbury, T.	O'Ferrall, M.
Barneby, J.	Fitzgerald, R.
Ffolliott, J.	White, S.
Du Pre, G. C.	Ellice, E., jun.
Bateson, T.	Kirk, P.
Attwood, M.	Wortley, rt. hon. J.
Wynn, Sir W.	Oswald, A.
Hepburn, Sir T.	Blake, Sir V.
Hodgson, R.	Philips, M.
Sheridan, R.	Langton, G.
Maclean, D.	Whitmore, T.
Hampden, R.	Praed, W.
Bruges, L.	Baillie, H.
Baring, T.	Egerton, Lord F.
Acton, Col.	Macnamara, Major

Absent—Ayes.

Berkeley, hon. G. F.
Bodkin, J. S.
Buller, E.
Callaghan, D.
Clements, Lord
Corbally, M. E.
Dawson, hon. T. V.
Dundas, Adm.
French, F.
Hoskins, K.
Howard, hon. Capt.
Kelly, J.
Maher, N.
Martin, T. B.
O'Brien, T.
O'Brien, J.
O'Brien, W. S.
O'Connell, M.
Osborne, Capt. B.
Power, J.
Price, Sir R.
Pryse, P.
Redington, T. N.
Roche, E. B.
Sheil, rt. hon. R. L.
Shelburne, Earl of
Sheridan, R. B.
Standish, C.
Stanley, hon. W. O.
Stuart, W. V.
Talbot, C. R. M.
Tuite, H. M.
Wemyss, Capt.
Westenra, hon. Col. J. C.
White, H.

Absent—Noes.

Acland, Sir T. D.
Ashley, hon. H.
Attwood, J.
Baillie, H. J.
Baldwin, C. B.
Bernard, Lord
Castlereagh, Visct.
Colvile, C. R.
Coote, Sir C. H.
Egerton, Lord F.
Hamilton, C. J. B.
Hardy, J.
Hayes, Sir E.
Hornby, J.
Hussey, A.
Ker, D. S.
Kirk, P.
Leslie, C. P.
Lindsay, H. H.
Marton, G.
Nicholl, rt. hon. J.
Oswald, A.
Praed, W. T.
Price, R.
Pusey, P.
Vesey, hon. T.
Welby, G. E.
Whitmore, T. C.
Wortley, hon. J. S.
Wyndham, Col. C.

Main Question agreed to.

Bill read a Third Time and passed.

MR. E. YORKE was understood to say, that, before the Bill passed, he was desirous of making a few remarks. [" Oh, oh!" " Order, order!" *and great confusion.*]

MR. SPEAKER: I had already put the question that "the Bill do pass" before the hon. Member rose. The Bill is now passed.

MR. E. YORKE trusted the House would permit him to state the objections he entertained to the title which had been given to this Bill. [" Oh!" " Order!" *and great confusion.*] He begged to move that the House do adjourn. What did this Bill profess to do? [" Question!"] To displace the labour of our own hard-worked countrymen in order to give employment to foreign serfs. He thought the Bill ought to be called the Foreign Lands Improvement Bill. Fraudulent things and suspicious persons often had aliases, and he thought the measure ought also to be called the Ministerial Mutability and Consolidation Bill. He was sorry he was not able to catch the Speaker's eye before the division, or he should have moved that

the Bill be entitled "The Foreign Lands Improvement Bill." The hon. Member concluded by withdrawing his Motion for adjournment.

House adjourned at a quarter past Four o'clock.

ANALYSIS.

THE MAJORITY—AYES 329.

Members for	Conservatives.	Liberals.	Total.
English counties	12	13	25
English boroughs ...	68	142	210
English universities ...	2	—	2
Welsh counties	4	—	4
Welsh boroughs	3	6	9
Irish counties	4	16	20
Irish boroughs	7	19	26
Scotch counties	5	9	14
Scotch boroughs... ...	1	18	19
	106	223	329

THE MINORITY—NOES 231.

Members for	Conservatives.	Liberals.	Total.
English counties ...	103	4	107
English boroughs ...	78	4	82
English universities ...	2	—	2
Welsh counties	8	—	8
Welsh boroughs ...	2	—	2
Irish counties	13	1	14
Irish boroughs	2	—	2
Irish universities ...	2	—	2
Scotch counties	10	—	10
Scotch boroughs ...	1	—	1
Isle of Wight	1	—	1
	222	9	231

THE HOUSE OF COMMONS.

Members Absent.	Conservatives.	Liberals.	Total.
Voted on third reading	328	232	560
English counties (pairs included)	7	3	10
English boroughs ...	18	11	29
Welsh counties	1	2	3
Welsh boroughs ...	2	1	3
Irish counties	10	20	30
Irish boroughs	3	8	11
Scotch counties	5	1	6
Scotch boroughs ...	—	3	3
Sudbury vacant	—	—	2
The Speaker	—	—	1
	374	281	658

SUMMARY.

MAJORITY (TELLERS INCLUDED).

Conservatives	106	
Liberals	223	
		329

MINORITY.

Conservatives	222	
Liberals	9	
		231
Absent (Conservatives)	46	
Ditto (Liberals)	49	
		95
Speaker		1
Seats Vacant—Sudbury		2
		658

HOUSE OF LORDS,

Monday, May 18, 1846.

MINUTES.] PUBLIC BILLS.—1ª. Corn Importation.
2ª. Election Notices (Ireland).

PETITIONS PRESENTED. By the Bishop of London, from Cambridge, and other places, for the Better Observance of the Sabbath, and for the Prevention of the Sale of Intoxicating Liquors on that Day.—By Earl Fitzwilliam, and several other noble Lords, from an immense number of places, against the Charitable Trusts Bill.

CORN IMPORTATION BILL.

The DUKE of WELLINGTON moved that the Corn Importation Bill be read a First Time.

The DUKE of RICHMOND: My Lords, it is not my intention on the present occasion to go into the whole merits of the question before your Lordships, nor to dilate upon the danger to be apprehended to the country from a repeal of the present Corn Law; but, my Lords, I cannot permit the Bill to be read even a first time without entering my protest against it, and making a few observations upon its principle. My Lords, I contend that Sir R. Peel was not warranted in proposing this measure, nor justified by the exigency he assumed in abandoning, as he has done, all protection to British industry; he who had advocated so eloquently and so unanswerably, as regards argument, for so many years, and who, moreover, with a large majority of the House of Commons, was returned in 1841 to support that advocacy. My Lords, I believe it to be a thing impossible that the measure can be laid upon the Table of your Lordships' House, without the violation of promises and the breaking of pledges. I, for one, my Lords, am very sorry to see, at the present day, that a great distinction is attempted to be drawn between public honour and private honour. Sir R. Peel is a man who bears a most unexceptionable character in private life—he is a man whose word is

his bond at Tamworth ; but, nevertheless, he does not hesitate to withdraw, at the very doors of the House of Commons, from an agreement proposed by himself, and unwillingly acquiesced in by the agricultural party in 1841. He throws over his former principles, he repudiates his former speeches, and he refutes with a negative all his own former arguments in favour of protection. Not content with this, Sir R. Peel not only yields to the clamour of his opponents, but turns round and joins them, abandoning his friends, through whose means he came into power, and giving his assistance to the Leaguers against those who had previously supported him, their only fault being, as I stated, my Lords, placing too great a reliance upon the stability of his principles, and reposing too generous a confidence in the consistency of his public character. Putting aside, my Lords, however, the danger which this Bill will bring about—and that it will bring about a vast amount of danger to the institutions of the country I see no cause to doubt—putting that aside, my Lords, I ask your Lordships if such conduct is to be pursued by a statesman, and the leader of a great party in the State, how can you retain the confidence of the people of this country in any Government—a confidence, my Lords, which I hesitate not to say is absolutely necessary for the well-being of this great country in the trying times that are approaching—and we know not how soon they may come ? If the public at large can repose no confidence in public men, which will be the result of this measure, how can you, my Lords, hope to secure good government in this country, and anticipate and prevent that anarchy and confusion which are now so rife in the land ? My Lords, I do not wish to speak harshly of any man, and I disdain to impute motives in political matters ; but at the same time, my Lords, I must give expression to my deep regret at the events that have occurred in this country since last November. My Lords, Sir R. Peel had one straightforward course to pursue, but he did not pursue it. Instead of throwing up office, his course should have been to recommend to his Sovereign to dissolve Parliament, and appeal to the sense of the country upon the question at issue. As it is, the people of this country have had no voice in these great changes which he proposes. He should have gone to the country, my Lords, upon this question, and have asked every city, every borough, and every county in this great Empire, whether they had changed their sentiments on the subject, either because of some disease in the potato crop of the season, or for some supposed large collection of money made by the Anti-Corn-Law League ? My Lords, he should have gone to the country, and should, in doing so, have asked the constituencies to release him and his servile followers from those engagements which led to their accession to power, and the overthrow of the Government which preceded them. My Lords, we have a strong Parliamentary claim against the progress of this Bill any farther ; because it will be in your Lordships' remembrance that it was described, on its first introduction to the public notice, as part of a great and comprehensive plan within the contemplation of the Government. If this description be correct, I hold, my Lords, that we are perfectly justified in asking to see the whole of that plan laid upon the Table of your Lordships' House before we shall be called upon to give an opinion upon it. But my noble Friends of the protection party are willing to waive that objection. We are not prepared to ask for anything which would cause delay ; and we are satisfied, therefore, to accede to the Motion which I am informed is to be made this evening, to fix the consideration of the whole question for this day se'nnight. We thus show that in the course we take in reference to it we have no factious motives, and that we are willing to waive all formal objections. Confiding in the justice of our cause, we only ask "a fair field and no favour," and we believe that with that fair field and no favour we shall be able to convince your Lordships that the arguments so ably and eloquently stated in another place in favour of that cause — arguments of which I am bound to say there has been no attempt at contradiction worth naming—we shall be able, I trust, my Lords, to induce your Lordships to do that which I deem your most paramount duty—namely, to prevent rash legislation in consequence of the clamour of interested individuals, who, better knowing the Prime Minister, knew how to work upon his fears, for they never could persuade him that his judgment was wrong until he lost his head by that feeling which, I am happy to say, is not a common one among the natives of this country —cowardly political fear.

Lord BROUGHAM : I wish only to express my entire concurrence in the course my noble Friend proposes to take,

and my entire dissent from every other word he has uttered. Nothing could be more fair, and candid, and open, and manly—in one word, in every way more fitting and consistent with the character and conduct of my noble Friend, than the course he has taken in objecting to the first reading of a Bill sent up from the other House, and in waiting to discuss the measure fairly and fully on this day se'nnight. But, my Lords, I enter in one sentence my solemn protest against its being said that a statesman who, yielding to reflection, and reason, and conviction, conscientiously changes opinions which he formerly entertained, and acts upon his altered convictions, has not only committed an act of dishonour—an act impeaching the integrity of his character, and lowering his fair fame and name among statesmen; but that a statesman, placed in such circumstances, is called upon to vindicate his honour, his integrity, and his motives. "But," says my noble Friend, "why not dissolve Parliament, and appeal to the people?" My Lords, I am guilty, if my right hon. Friend at the head of the Government deserves reproach for not dissolving Parliament on a great question like this; for I was a friend of the Reform Bill in 1831, and I never dreamed of dissolving Parliament and appealing to the people till we were defeated by the Parliament which was then assembled. If that Parliament had not been against us, who was wild enough to fancy that we ever should have dissolved Parliament in the spring of 1831? It may, however, be said that I was always a reformer—that I was always a supporter of Parliamentary reform, and that I had not changed my opinion on that question. But, my Lords, some of my Colleagues, some of my most esteemed Colleagues—if I mistake not, my noble Friend (the Duke of Richmond) himself, who now charges Sir Robert Peel with not dissolving Parliament and appealing to the people, did, upon reflection, honestly, conscientiously, and without the shadow of imputation resting upon them, come round to my great delight, to the great glory of themselves, to the great edification of that cause, and to the great benefit of the people of this country, and became advocates of reform; and they never proposed a dissolution, or talked of a dissolution, till the Parliament then assembled was found not so fit as we could have wished for effecting our objects.

The DUKE of RICHMOND: I never voted against reform in the whole course of my life, and therefore the noble and learned Lord's attack upon me falls to the ground. I repeat that I never voted against the Reform Bill. I voted for it. My noble and learned Friend will recollect that, on the occasion to which he refers, Parliament was dissolved in the midst of a very violent feeling which existed throughout the country; but I do not find the advocates of free trade coming to this House with petitions in favour of the measures proposed by the Government. There is nothing like the agitation in favour of free trade that there was in favour of reform.

The MARQUESS of LONDONDERRY thought it would be as well if noble Lords did not allow themselves to be carried away by personal feelings in discussing a question of this nature. He had occupied a seat in their Lordships' House long enough to see many individuals, as well as those upon whom the noble Duke had made an attack, change their opinions on public questions; and he must observe that the noble Duke himself had repeatedly changed his position in that House. And yet the noble Duke charged the Prime Minister, who had had long and mature experience, with changing his opinion on a question of this nature! He (the Marquess of Londonderry) was prepared to give his unhesitating support to the measure of Her Majesty's Government.

The DUKE of RICHMOND: I wish the noble and gallant Marquess would practise what he preaches. The noble Marquess deprecates personalities, and then he makes a violent personal attack upon me; but I am not surprised at it. I stated that I did not impute any motives to Sir R. Peel; but I was anxious, on this day, to express my opinion as to the conduct of the Government, in order that it might not be necessary for me to do so on the second reading of the Bill. I feel most strongly, and I think I have a right to do so, that a great body of persons in this country have been treated unfairly; and I determined not to smother my opinion, but to state it openly, let who might object to it. I took this course because I am most anxious that nothing of a personal nature should take place on the second reading of the Bill. I thought it more fair to all parties to say what I wished to say on the subject now.

The MARQUESS of LONDONDERRY said, he had not intended to make any personal attack upon the noble Duke. He

regretted that the noble Duke should have made a personal attack upon Sir R. Peel, because their duty was to consider the Bill, and not the changes in opinion of the persons by whom it was proposed. He would only say, that the noble Duke (the Duke of Richmond) had changed his opinions as often probably as any other person.

The EARL of RIPON: I am extremely glad to hear that it is the intention of my noble Friend on the cross bench to conduct the discussion which is to take place next week on this important subject on principles which, if adhered to, will command the approbation of the House. The noble Duke expressed a hope that there would be an absence of all personalities on the second reading of the Bill. I am not surprised that my noble Friend has exhaled his feelings on the present occasion; and I am particularly glad to hear that we are not likely to have a repetition of such an attack. I am glad of it, partly, my Lords, on my own account—but much more, I can assure the noble Duke, on account of my right hon. Friend who has been the special object of his bitter attack. I well know the situation in respect of this question in which I stand. I know the representations which may be made; I know the censures which may be cast upon me; I know what reproaches may be heaped upon me; but, my Lords, I am prepared to meet them on my own part, and on the part of those of my Colleagues with whom I share the awful responsibility of having introduced this measure. My noble Friend has talked of a distinction which, he says, prevails in our days between public and private honour. That, my Lords, is a distinction which I do not recognise; and I should not think that I retained my character privately, as a man of honour, if I could not maintain my public character in the same way. I beg to say to my noble Friend, whatever threats he may hold out—

> "There is no terror, Cassius, in your threats,
> For I am arm'd so strong in honesty
> That they pass by me as the idle wind,
> Which I respect not."

Bill read 1ª.

CHARITABLE TRUSTS BILL.

The LORD CHANCELLOR: My Lords, in rising to move the second reading of this Bill, I feel that I have not a very agreeable task before me. This Bill has been introduced and read a second time in your Lordships' House on two different occasions. On each of those occasions I explained in detail the principle on which it was founded, and the evils it proposed to remedy, and I confess it is no pleasing task to me to go over the same ground again; and it must be still less pleasing to your Lordships to listen to me. But this is not the only ground of present discouragement. In consequence of an extensive combination throughout the country against the Bill, I cannot but feel that a strong impression against it has been created in the minds of your Lordships. I recollect that on a former occasion, when a similar subject was debated before the House of Commons, Mr. Fox quoted the saying—"*Numquam magis libenter loquor, quam cum quod loquor auditoribus displacet.*" It is far from my intention to merit that description. I am not of a temper so pugnacious as the gentleman to whom that was applied; but I must admit that I should feel still greater discouragements than I do feel on the present occasion, if I were not disposed to make great concessions to the feelings and opinions of individuals, to make great alterations and exceptions in the measure, and if I did not feel strong also in the conviction that, after a due consideration of its provisions, it will be impossible for your Lordships to vote against the second reading. My Lords, I will not trouble your Lordships with a detail of all the circumstances which have led to the introduction of the present measure. Your Lordships all recollect that a Commission was some time since issued at the instance of my noble and learned Friend. That Commission sat for a long period. It made various and able reports on the state of the charities, and concluded its labours by recommending the introduction of some legislative measure, providing more effectually for the due administration of charitable trusts. Before the last report of that Commission was issued, a Committee of the House of Commons was appointed, consisting of some of the most able, intelligent, and active Members of the House, for the purpose of considering the reports of the Commission, and giving their advice on the subject. That Committee finally reported, after much inquiry and much consideration, that it was necessary to establish a permanent Commission to superintend the Charitable Trusts of this Empire; and they recommended also that that Commission should be clothed with the authority of, and have powers similar or nearly analogous to those contained in, the present Bill. In consequence of the report of that Committee, it was pressed upon Her Majesty's

Government by Members of the Opposition to bring in a Bill for the purpose of giving effect to their recommendations. The Secretary of State for the Home Department acceded to the wishes so repeatedly expressed, and requested me to prepare a Bill. Accordingly I introduced the Bill now before the House in the Session before last. At the request of a right rev. Friend I consented to allow it to stand over until last Session, so that ample time was afforded for consideration and inquiry. Last Session I introduced the same measure again, and the Bill was read a second time, on the understanding that it would be referred to a Select Committee. It was so referred. The Committee consisted of several Prelates, of all the noble and learned Lords, and of other noble and distinguished individuals who felt more particularly interested in the subject of deliberation. The Committee bestowed the most attentive consideration upon the Bill. It sat day after day; several amendments were suggested, considered, and adopted; and after a long inquiry, the Committee made its report, approving of the Bill as it has been laid before your Lordships. On the third reading the Bill passed without opposition, except some dissentient opinion that was murmured against it by my noble and learned Friend. The Bill then went down to the other House of Parliament; but, in consequence of the late period of the Session at which it was brought into that House—that lateness being the result of the delay before your Lordships' Committee—it was impossible to pass it during the last Session. My Lords, I have this year thought it my duty again to lay this Bill upon your Table; and after it has once passed your House with so little objection, with, I may say, such general sanction and concurrence of opinion, I own that it is with no little surprise that I hear of the extensive combination which has been raised against the Bill, with the view of defeating it at its present stage. My Lords, I have thought it my duty to give your Lordships this short history of the Bill in a clear and concise manner, to show that I am justified in bringing it forward for your Lordships' consideration, and in requesting you to adopt it. When an individual proposes to make any alteration in the law, it is incumbent upon him to state what the law is, what are the grievances complained of, and what is the nature of the remedy which he proposes to provide. I shall pursue that course on the present occasion, and direct your attention as clearly and as plainly as I can to this subject. Every one knows that the only tribunal in this country which has any jurisdiction over Charitable Trusts is the Court of Chancery. There is no other tribunal of any description which has the power of controlling any abuse, or assisting persons who complain of the maladministration of charitable trusts. I readily admit, and I stated so in the last Session of Parliament, that there is no tribunal in the country which, with respect to the machinery which forms part of its constitution, and for other causes, is better calculated to do justice in such cases than the Court of Chancery—a court which has for a long series of years been presided over by men of great learning, wisdom, and prudence; and under whose superintendence and direction a system has grown up well adapted for the discharge of the duty. But for one circumstance, therefore, I should never have thought of bringing in a Bill of this description. If every charity could practically be brought under the consideration of the Court of Chancery, I should feel an entire and implicit acquiescence that justice would be done. But, unfortunately, my Lords, there are few charities that can come under the consideration of that court. As far as the great charities are concerned, it is a tribunal without exception; but, even in regard to these, it is impossible not to feel that enormous expenses are incurred by appeals, and that great deductions are consequently made from those funds which ought to be solely employed in the purposes of the charity. In the case of charities of more moderate amount, ruinous expenses are incurred in an application to the Court of Chancery, whilst, with respect to the smaller charities, the doors of the court are absolutely closed against them. My Lords, no man of sane intellect, or of tolerable experience, would recommend an application to the Court of Chancery in the case of small charities. The consequence is an absolute denial of justice. Whatever abuses take place in their management, parties are bound to abstain from all application to the court; for the expenses of one day's entrance into that court would annihilate the charities to which I refer. Will your Lordships allow such a state of things to continue? That great and excellent person, Sir Samuel Romilly, attempted to remove the evil; and he brought in a Bill providing that, instead of proceeding by Bill, parties should obtain a summary decision on petition. But even this was an

expensive form of proceeding, and the costs were far greater than the smaller charities could by possibility sustain. Sir Samuel Romilly was perfectly acquainted with the difficulty resulting from the expense of the Court of Chancery in the case of great numbers of these charities; and on one occasion, in a debate which took place in the other House, he declared in the strongest manner that the Court of Chancery was inapplicable to give a remedy to abuses in the charities of this country. Have I not stated enough to show to your Lordships the necessity of passing some measure of a remedial character? Perhaps your Lordships may suppose that the evil is not sufficiently extensive in its application to require legislative interference. But when I mention that there are no less than 15,000 charitable trusts in this country not exceeding 5*l.* per annum in value; that of charities not exceeding 10*l.* annual value there are 18,000; and of charities not exceeding 20*l.* that there are 24,000; when I mention this, your Lordships will see the extent of the evil, and the absolute necessity of administering a remedy. My Lords, when I state the case in these general terms, I am aware that I shall not produce so strong an impression upon your Lordships as I shall if I advert to two or three instances which I shall take from the Report of the Committee. At Ashby, in the county of Lincoln, there is a charity, in the shape of a rent-charge, of 30*l.* per annum. This is an amount of no inconsiderable character, and much beyond those of which I have just now spoken. The trustees of this charity died, and it was found that there was no surviving trustee. The charity was founded in the 16th century, and the rent-charge had been paid up to a certain time; the property was then sold, and the person who purchased it paid the rent-charge for a year or two, but he was then told there was no person who could give him a proper discharge, and it was no longer paid. The arrears ran on, and some one then brought the case into the Court of Chancery. The master reported 375*l.* should be paid; an order was made to that effect, and it was then found that the expenses incurred had been 400*l.* and upwards, more than the value of the sum recovered. Is this a state of things that you will allow to continue? I will now give your Lordships another case, one in which there was no contest as to the administration of the charity. This was a case at Battle, in Sussex. A house was falling into ruins; the trustees were desirous of selling it, and purchasing stock. They applied for leave to the Court of Chancery; the matter was referred to the master, who reported in favour of a sale. The transaction was completed, and the property realized 1,350*l.* The costs of that undefended suit were 350*l.*, and one-third the amount of the charity was thus spent in producing an exchange in the nature of the property which was for the benefit of the charity, and to which no opposition was made. In another case, which occurred at Lawford, Essex, some property had been let by trustees, at a rent of 60*l.* per annum; it was thought the property was under-rented, and the matter was brought into the Court of Chancery. The proceeding went on for some time. The parties, however, became tired of litigation, and it was agreed that each should pay their own costs. The cost so incurred by the charity amounted to 600*l.* Is it necessary, my Lords, to say more? I stand here to show, that however well adapted the Court of Chancery may be to inquire into such subjects, it is not calculated to do justice in the case of the small charities to which I have just referred, and much less to those of 5*l.* 10*l.* and 20*l.*, of which, as I have stated, there are no less than 24,000. I could multiply instances without number such as I have detailed, by referring to the Report of the Commission, but it is not necessary. I think those I have already quoted must have carried conviction to your Lordships' minds. But, perhaps, my Lords, it will be said that there are no abuses, or that they are of very rare occurrence. My Lords, every person acquainted with the world and with human nature would expect beforehand that abuses would be frequent and constant under such circumstances. Every person must be satisfied that in trusts of this description, where the administration of them cannot be investigated, and redress cannot be afforded, there must be extensive abuses. But it is not necessary to rely for proof of this point upon general reasoning: I refer you to the Report of the Commission, every page of which is full of instances of this character. My Lords, that Commission reported that in the cases of 385 of the large charities abuses prevailed; and they recommended the filing of informations to that extent. If the abuse of large charities was so extensive, your Lordships will easily conclude to what extent they have proceeded in the smaller cases. But I

shall now call your Lordships' attention to the opinions of two authorities, who for twenty years gave their attention to the subject; I mean Lord Kenyon and Lord Eldon. Lord Kenyon said—

"Whoever will examine the state of the grammar schools in different parts of this kingdom, will see to what a lamentable condition most of them are reduced. If all persons had equally done their duty, we should not find, as is now the case, empty walls without scholars, and everything neglected but the receipt of the salaries and emoluments."

Lord Eldon said—

"It is absolutely necessary that it should be perfectly understood that charity estates all over the kingdom are dealt with in a manner most grossly improvident, amounting to the most direct breach of trust."

That is a general opinion which will apply to charities of every description. If it applies to the cases of charities over which the Court of Chancery can exercise a practical influence, how much more must it not apply where that is not the case, and where there is nothing to control parties, or to keep order in the proceedings? I ask your Lordships whether it is not necessary to put an end to such a state of things, and whether you will not think I have acted a proper part in endeavouring to apply a remedy? My Lords, I have now shown you how the present system operates. It often happens that property is conveyed to trustees without any power being given of appointing new ones. The trustees die, and the only mode in which the trust can be renewed is by an application to the Court of Chancery. Such an application in the case of a small charity is absolutely impossible. What is the result? A rent-charge is created upon real property. The owner of the property pays the rent-charge for a considerable time; he is afterwards told, according to the case I have before referred to, that there is no person in a situation to give him a discharge; he refuses to pay any longer, and the property becomes his own, free of the trust, because it is impossible to apply to any tribunal to enforce the payment. This, my Lords, is the case of a great number of charities given to trustees, to be applied according to the will of the donor, where there is no power to renew the trust; but in a great number of cases where power is given to renew the trust, it constantly happens that that power is not acted upon, the trust expires, and the same consequences follow as those to which I have referred. Again, my Lords, with respect to personal property. Stock is given to trustees for the benefit of a charity; the Bank will not allow more than four names to be entered as the owners—will not allow any trust to be entered upon the bank book. Three of the trustees die, the whole property is vested in the survivor; he dies, it is vested in his personal representative; no representation is taken out, and the property is lost. These, my Lords, are cases of ordinary occurrence; they are reported by the Commissioners over and over again. The Commissioners complain of this as a great and intolerable evil, and they call for a remedy. There is no remedy at present existing, for an application to the Court of Chancery absorbs and annihilates the property. Will your Lordships allow such an abuse to continue? Having the power to legislate upon the subject, will you allow this monstrous injustice to prevail? Will you suffer a great and numerous class of your fellow subjects, who are unable from poverty and wretchedness to assist or help themselves—will you allow them to be out of the pale of the law, and to be the only class of Her Majesty's subjects that have not a tribunal to which they can appeal for the purpose of protecting themselves from robbery, and from the abuses to which this system must necessarily lead? I know that my noble and learned Friend on a former occasion treated this matter rather lightly. The answer which he gave was this, and it made a strong impression on my mind at the time—"Why the same evil exists with respect to private individuals; if the amount is small, they cannot go into the Court of Chancery." That is an answer which my noble and learned Friend seemed to consider satisfactory; but it was anything but satisfactory to my mind, and I am sure it must be anything but satisfactory to the minds of your Lordships. Why, my Lords, because you cannot do all that you might wish, or cannot go as far as circumstances will allow—because you cannot in every case affecting a private individual afford sufficient redress—will you withhold protection from that large and numerous class of persons to whom I refer, who are utterly incapable of protecting themselves or helping themselves against the abuses which I have described? My Lords, what is the measure which I recommend? What is the remedy I would apply? I am satisfied that no other course can be pursued, as far as relates to the principle of this measure, than that which I have adopted. You must have an independent tribunal applicable to the adminis-

tration of those trusts. You must have a tribunal acting summarily in cases of this description. There is no system calculated to meet the evil but that of an independent tribunal, acting summarily, doing justice where justice is required; and applying itself summarily to the administration of these trusts. My Lords, this is the system upon which you have acted with respect to civil rights—the rights of individuals. In the case of debts of small amount, where the party cannot with any propriety appeal to the regular tribunals of the country, you have established tribunals for the purpose of affording redress—Courts of Request acting summarily and deciding without the usual forms of proceeding between one individual and another. I ask you, my Lords, to apply the same system in cases of this description. That system is equally applicable to the one as to the other; and the requirement is at least as strong in the present case as it was in that to which I have referred. I ask your Lordships, therefore, to adopt a system of this kind, as being the only system which is calculated to meet the evil. What I propose, then, my Lords, is this:—that a certain number of persons—three is the number that I have selected, in this Bill, because that is the number which was recommended by the Committee of the House of Commons—should be appointed by the Crown, holding their situations during good behaviour—holding their offices on the tenure by which the Judges of the land hold their offices; not being removable except for misconduct; and I propose to vest them with summary jurisdiction over charities of this description. My Lords, I have never heard, as to this part of the Bill, what has appeared to me a well-founded objection. I have heard it discussed in various ways, and various observations have been made with respect to it; and I have heard it even admitted to the full extent, that the Court of Chancery cannot apply itself to cases of this description; I have heard it admitted over and over again that a summary jurisdiction is the only jurisdiction that can be applied to lessen or mitigate the evil; and therefore, unless I hear some stronger arguments to the contrary than, after all the discussions which have taken place, I have ever yet heard, I must persevere in saying that I think it impossible that any well-founded objections can be made to this plan. My Lords, when the Bill was first introduced to your Lordships' House, the appointments were proposed to be vested in the Secretary of State for the Home Department. An objection was immediately made to that, and it was stated that the appointments ought to be vested in the person holding the Great Seal for the time being. I had no desire or wish to have those appointments; but I yielded to a suggestion which was thrown out that the appointments should be made by the Lord Chancellor, and directed that the clause with respect to them should be altered accordingly. My Lords, the Bill went into Committee upstairs; it was much considered and much discussed. An Amendment was moved, that two of the persons holding these offices should be selected from the Masters in Chancery. The question was put to the vote, and it was carried in the affirmative. In that state the Bill came to your Lordships, and went down to the other House of Parliament, and no opposition was made to it either there or when it was returned to your Lordships' House. My Lords, I have thought it my duty in this Bill to make an alteration in that respect; but when I say I have made that alteration, I do not mean to say I will abide by it if good reason can be given why that alteration should not be persevered in. When the Bill goes into Committee, your Lordships will be able to say what is your opinion as to what shall be the composition of the tribunal which it is proposed to establish. I have thought it right to strike out that provision in the Bill which required that two of the offices should be held by Masters in Chancery; and for this reason, that we could not compel Masters in Chancery to accept the office, and if they should decline, or if it should be inconvenient for them to do so, it would follow that the Bill in that form could not be carried into effect. I have therefore proposed that it should be left so that the persons to be appointed may be selected out of that learned body, instead of making the selection compulsory. I also propose that they may be selected from barristers of long standing, or from any persons who have filled the office of Vice Chancellor, or from persons who have filled the office of Chief Justice of India. Those are the persons from whom I propose to select the officers to be established by the Bill. This, however, is not essential to the principle of the Bill. The real question is —will you have a tribunal composed of a certain number of Commissioners holding their offices during good behaviour inde-

pendently of the Crown—holding office by the same tenure by which the Judges of the land hold theirs? If your Lordships are in favour of such a proposal, you will consent to the second reading of this Bill, and will go into Committee for the purpose of examining the details, of regulating the Bill according to the judgment which you may pronounce with respect to its several parts. Now, my Lords, I believe, that with respect to the part of the Bill to which I have hitherto referred, there will not be much difference of opinion among your Lordships. I can hardly suppose it possible that your Lordships will not agree in the necessity of adopting some measure of this description. The evidence is so strong and so decisive, so much in one direction, that it appears to me impossible that there can be any difference of opinion upon that subject; but then, my Lords, I come to another point, which, though undoubtedly of importance, may be considered of inferior importance to that part of the Bill to which I have referred, but to which I will now direct your Lordships' attention. I have thought it of great importance that the persons holding the office of Commissioners should have a right to call upon all charities for an account of their receipts and disbursements—not to inquire into the administration of the charity—not to have any control or any authority over the administration of the charity, but merely to call for an account; because I am satisfied of this, that if any charity has from year to year to render an account of its receipts, and of the manner in which those receipts are applied, that will be the best and greatest security against abuse. My Lords, I believe, that, as far as relates to the smaller charities which are to come under the direction and authority of the Commissioners, no objection, or, at least, no serious objection, is made with respect to the point to which I have referred; but with reference to the charities of a larger description strong objections have been urged, and I have reason to believe that it is in consequence of the provision that power should be vested in the Commissioners to call for accounts of this description, that the greater part of the opposition to this measure has been urged. When the Bill was before the Committee of your Lordships' House in the last Session of Parliament, this subject was well and maturely considered. The question was, whether there should be any exceptions introduced into the measure? After much inquiry, after much consideration, after much reasoning, my noble and learned Friends all being present on the occasion, and several right rev. Prelates also being present, it was unanimously resolved that there should be no exceptions; and when the Bill came down from the Committee it passed through your Lordships' House without any single objection in this respect being offered to it. I believe, however, that it is in consequence of what I have stated that this combination against the Bill out of doors has been formed. I believe it is owing to the clause to which I have referred. But, my Lords, owing to the opposition which has been raised to the Bill on that account, owing to the storm which has so fiercely and with so much energy been directed against the measure, I have felt myself bound to yield to the representations that have been made, to consent in some degree to modify the Bill, because I am most anxious that this measure, or at least the first part of it, should be passed into a law, and because I feel and am conscious, from all that has passed out of doors, and all that has passed in this House, that if this clause remains unqualified, even if it should pass through this House of Parliament, which I very much doubt, it certainly would not pass through the House of Commons, where the whole Bill would stand a chance of being ultimately rejected. Much, therefore, to my regret, in consequence of the claims to exemption that have been forced upon me from various charities, I am ready to yield to those representations, and to that pressure. I have prepared a schedule for that purpose which I shall annex to the Act, and which I shall submit to your Lordships on going into Committee on the Bill. It is an extensive schedule of exceptions, impairing, I admit, the efficiency of the measure; but yet leaving, notwithstanding, those exceptions a measure of infinite importance to the country—a measure that will be productive, as I apprehend, of incalculable good—and, what is an argument most prevalent with me, a measure which will prevent those abuses and those extraordinary perversions of charitable funds from charitable purposes which have so long prevailed, and so extensively disgraced this country. But, my Lords, before I proceed further, allow me to justify myself, and to justify the Committee, for originally proposing that there should be no exceptions as regarded the provisions of this Bill. The ground on which exceptions

have been contended for by some of the great bodies connected with the corporation of the City and by other establishments, is the purity which has characterized their administration of the charities which have been committed to them. They say—"Will you question us, who are the trustees selected by the founders? We have been guilty of no abuse; you can safely rely upon our integrity, our care and our intelligence. Why then interfere with us? Why interrupt the current of this charity? Why interfere when the system works so well, and when no abuse whatever can justly be ascribed to us?" My Lords, I must be allowed, in justification of myself, and, as I have before stated, in justification of the Committee of which I was a member, to refer to some facts which appear upon the Reports of the Commissioners—facts which have been since investigated in courts of justice—for the purpose of justifying me in the opinion which I have formed, and in the construction of the clause to which so many objections have been made. Now, my Lords, it must not be supposed that in what I am about to state I intend to prefer charges against any parties; my only object will be to vindicate those who co-operated with me in framing and preparing this Bill, and in submitting it to your Lordships for your consideration. But among the petitioners to whom I have referred, and who have stated grounds upon which they conceive that, in point of justice, they ought to be exempted from the operation of this Bill, one of the first names that occurs to me is that of the Mercers' Company. By far the greatest opponents of this measure have been the trading companies of the City of London. Now, I take the instance of the Mercers' Company. There was a charity established, I think, in the reign of James the First, by the Earl of Northampton. It was established at Greenwich; and it was to consist of a warden and twenty objects of the charity; and the whole was put under the government of the Mercers' Company, who were to be the visitors, and on every Trinity Monday in each year were to proceed to Greenwich, for the purpose of examining the accounts, inquiring into the manner in which the charity was administered, and seeing that everything was proceeding upon a safe and regular principle. The founder of the charity, Lord Northampton, stated in the charter, that it would not be convenient that a great number of persons should attend on the occasion of the visit: he, therefore, limited the number to twelve, and he allowed the small sum of 5*l.* a year, to defray the expense of the boat-hire, and of the dinner that should be given on the occasion. Now, my Lords, this visitation has been going on for a great number of years. I hold in my hand a document which also appears in the Report of the Commissioners on Charities; and I give this as a sample, for the purpose of showing whether you can safely and implicitly rely upon the manner in which persons in this situation perform their duty with respect to charitable trusts. I call your Lordships' attention to it as one of several cases: there are very many of the same description and character. Here is an account of the items of expenditure on June 3, 1833:—"To breakfasts, eighteen gentlemen, at 3*s.*, 2*l.* 14*s.*" I do not mean to say that before they proceeded upon their expedition to Greenwich, it was not proper that they should assemble for breakfast; and I do not mean to say that the charge for breakfast was extravagant. [*Laughter.*] Well, here is the account:—

"1833—June 3.

	£	*s.*	*d.*
To breakfast, 18 gentlemen, at 3s... ...	2	14	0
Two tongues, eggs, bacon, and Bath chap	1	8	0
Waiters	0	10	0
	£4	12	0

Then came the expenses of the journey to Greenwich:—

	£	*s.*	*d.*
To six carriages and pair, one day, town and Greenwich	7	16	0
Coachmen	1	16	0
Hostler	0	3	0
Gates	0	13	6
	10	8	6

June 7.—Three dozen of flowers for the hall ... ... 1 1 0"

I do not find this last item in Lord Northampton's list. Then, my Lords, comes a luncheon. I do not find fault with the luncheon. These gentlemen having obtained a good deal of experience in this kind of business, would not much like an extravagant luncheon in point of quantity, because it might operate in that case very unfavourably as regarded what was to follow. The luncheon, therefore, was moderate:—"Sixteen sandwiches, twelve lemonades, six punch, one and a half pints cherry brandy, two and a half dozen soda, lemon, sugar." That was the luncheon—moderate I admit. No great fault can be found

with it. It was moderate, probably, for the reasons which I have stated. Indeed, I can speak in some degree from my own experience of matters of that description. I now come, my Lords, to the substantial part of the feast; and your Lordships will recollect that this is the Mercers' Company, which claim to be exempted from the operation of the Bill, on account of the strict and faithful manner in which they have hitherto discharged their duties, and are likely to discharge them again. But this, my Lords, is a rather awkward hour to talk of dinner (it was nearly seven o'clock), and I am afraid I shall have a very thin audience after reading the next passage. However, here is the dinner :—

"Dinner.—Four dishes flounders, two ditto turbots, three ditto stewed eels, two ditto mullet, three ditto water souchie, three ditto fried eels, three ditto eels tomatoes, two ditto salmon, one ditto spiced eels, two ditto collops of turbot, one ditto sturgeon, whitebait, potatoes, and cucumbers, sauces."

That is the first course. You see from this what is likely to take place when, at the close of the Session of Parliament, we go to our whitebait dinner at Greenwich. Well, having gone over the fish, I now come to something more substantial :—

"Two dishes boiled pullets and white sauce, two ditto ducklings, two ditto raised pies, two ditto hams, one dish of roast turkey poult, one ditto pigeon pie, two ditto geese, one ditto tongue, one ditto quarter of lamb, one ditto roast fowls, one capon."

All this, my Lords, is tolerably and sufficiently solid, but there is a *pièce de resistance*, as it is sometimes called — "One baron of beef." Then we have—

"One baron of beef, two dishes of lamb cutlets, curry with rice, asparagus, peas, ditto stewed, Italian salads, prawns, rice, new potatoes, French beans, cauliflowers, lobster, cucumber, mushrooms, collar, garden beans, sauces and gravies, jellies, baskets, tarts, blancmange, custards, tourts, lemon pudding, plum puddings, officers' dinners."

That was the dinner. Lord Northampton having allowed 5*l.* for the whole expense, we have had breakfast, luncheon, a first and a second course at dinner, and the sweets. I now come to the dessert :—

"Six quarts ice creams, two almond cakes, six lb. hot-house grapes, ten plates strawberries, six ditto oranges, six ditto almonds and raisins, four ditto preserved ginger, four ditto ditto nutmegs, four ditto biscuits, seven ditto olives, two dishes apples, ice for wine.—Cooks and charcoal, hire of china and glass, allowance on forty-one bottles of wine, 1s. each, waiters."

The explanation with regard to the wine at 1*s.* per bottle, I must mention to your Lordships. These gentlemen are provident. They supply their own wine, Mr. Lovegrove furnishing the dinners ; but, as he does not furnish the wine, he puts a charge of 1*s.* upon every bottle they drink. I may mention that by the charity accounts it appears that no less than 70*l.* was paid at one period for wine, and 40*l.* at another, it being placed in the cellars belonging to the hospital, and brought out on the recurrence of these visits. It appears that on this particular occasion forty-one bottles were consumed by the eighteen persons present. We now come to the tea :—

"1½lb. hyson tea, at 12s; 1½lb. souchong ditto, at 10s.; 2½lb. Mocha coffee, at 3s.; 8lb. refined sugar, at 11d.; 8lb. loaf ditto, at 10d.; 4lb. Bengal ditto, at 8d.; ½lb. Crown chocolate, at 4s.; 13 nutmegs; 1lb. canister sugar."

And now for the summary of the expenses :—

"Breakfasts	£4	12	0
Coaches	10	8	6
Flowers	1	1	0
Dinner	63	6	6
Baker	0	16	6
Cheesemonger	1	13	2
Brewer	1	16	0
Men's beer, &c.	0	19	4
Grocer	3	0	11
Butler	1	10	10
Laundress	0	10	5
Total	£89	12	5"

These are the gentlemen who come to your Lordships' House protesting the purity with which they administer the charities under their care, and praying that your Lordships will exempt them on that account from the operation of this Bill! My Lords, this is not a solitary instance, and when my noble and learned Friend asks, what is the amount of the charity wasted in this particular case, I must inform him that by the report it appears the average expenses have been 100*l.*, which would, in 20 years, amount to 2,000*l.*, or, with interest, to the sum of 3,000*l.*; and thus a sum sufficient to have founded a very beneficial charity has been consumed in one day of the several years. My Lords, this is not all that may be alleged with respect to this Company. In consequence of the Report of the Commissioners, informations have been filed against them for an abuse of the Charity Funds. The manner in which this abuse has arisen is this. The Charity Funds are annexed to the Corporation Funds; and small sums being doled out for the object of the particular charity, the rest is applied to corporation purposes. Two informations have been filed against them, and in each instance large sums of money have been re-

covered, though at great expense. But, my Lords, are such abuses confined to the Mercers' Company? By no means. Out of 19 Trading Companies of the City of London, 11 of which have presented petitions at your Lordships' Table in opposition to this Bill, 69 informations have been directed to be filed, on the recommendation of the Commissioners; and large sums of money have in almost every instance been recovered—the abuse being shown to have arisen from the manner of administering the funds, and when payments have been doled out for the purposes of the charities, the rest being applied to personal and corporation purposes. I have told your Lordships that out of the 19 Trading Companies, 11 have petitioned against the Bill. Against these 11 Companies 19 informations have been filed, in consequence of the recommendation of the Charity Commissioners. Now I do not bring this as a charge against them; but I must remark that it is they who have been most active in exciting opposition to this Bill. I do not make any charge against them: they may have been mistaken or merely negligent in administering their trusts; they may have been mistaken in the construction of the charities, and supposed that they had a right to appropriate all these things to themselves: I do not, therefore, make this a charge against them; but I do urge these facts as a defence of the Committee and myself for the course which we pursued with respect to them. My Lords, we were aware of these circumstances; we had our attention directed to the Reports of the Commissioners; we knew the manner in which these charities had been administered; and therefore we contended that no exception ought to be allowed. But as your Lordships may be of opinion that exceptions ought to be allowed, I have framed, as I have already stated, a most comprehensive schedule of exceptions. In that schedule I except the Universities; I except the great colleges, the schools of Royal foundation, and extensive establishments of that description; I except all the great hospitals of this great metropolis; I except all charities which are supported, either in whole or in part, by voluntary contributions—and the charities of Wesleyan Methodists and a great number of religionists of various persuasions. It is not necessary for me to go into a detail of all the exceptions at present; I shall submit the schedule for consideration, and your Lordships can then either add to or subtract from it, according as circumstances shall in your judgment render expedient. So much, my Lords, as to this part of the case. I have given to the Commissioners in this Bill, or, rather, your Lordships have given to the Commissioners in this Bill—for you passed the Bill unanimously in the last Session of Parliament — various administrative powers. I do not enter into the details of those powers. They may be too extensive, but that is no sufficient reason for not reading the Bill a second time. If these powers are in any particular too extensive, they may be abridged; but this is a matter which does not affect the principle of the Bill. Your Lordships, on going into Committee, may examine the subject as carefully as it was examined in Committee upstairs last Session; and you may modify and alter the Bill as you think proper. And now, my Lords, with respect to another head of this Bill—an important part, but I admit not essential to the Bill—a part which, though it would add much to the benefits to be derived from the Bill, may be detached from it without impairing the efficiency of that first part, which appears to me most important, establishing a tribunal which shall administer justice where it is now denied. The part of the Bill to which I now allude is that which relates to the Municipal Charities. Your Lordships will remember that when the Corporation Bill passed, you had not made up your minds as to the course which you would pursue with respect to municipal charitable trusts. You left them, therefore, in the hands of the individuals who then exercised them, subject to any order that might be made within a limited time by Parliament; and if none were made, then the mode of administration, and the appointment of trustees were left to the Court of Chancery. In a great many instances, Parliament not having interposed, the administration fell into the hands of the Court of Chancery. Trustees were then appointed according to the circumstances of each charity; and I find no fault with what was done on that occasion. But the point to which I wish to call your Lordships' attention is this:—From time to time, in consequence of the death of trustees, these trusts cannot be properly administered. The trustees die; they remove from the place; or they become incapable; and it becomes necessary, from time to time, to supply the deficiencies in their number. My Lords, applications for this purpose have in many instances been made to me; and I have made orders referring it to the Mas-

ters to appoint persons to supply the deficiencies. I know the expense, however, to be enormous. In the case of the Hereford Charity the cost was more than 700*l*. In the case of the Warwick Charity, as a noble Lord whom I have in my eye is aware, the cost of a contest in the Masters' Office between the two parties in the Borough was upwards of 500*l*. This is a grievous and intolerable evil. We frequently find sums of 200*l*. 300*l*. or 400*l*. thus taken from charities for the purpose of securing the appointment of new trustees. Now I propose to transfer this power to the Commissioners to be appointed under this Bill. There is great objection made to this part of my measure. My noble and learned Friend (Lord Cottenham) makes it his chief *cheval de bataille;* for he says, "It will be a job, the parties will be improperly appointed." I ask why? If these Commissioners are to be responsible to the Crown, and to hold their offices during good behaviour, what reason is there to suppose that this part of their duty will not be performed by them as faithfully and justly as it is now performed in the Masters' Office? But, then, my noble and learned Friend says he knows what will happen—that they will appoint such a number of new trustees as immediately to swamp and destroy the old trustees; and that was the principal argument which he urged against the measure. Now, my Lords, in order to obviate that, a very simple course of proceeding will be sufficient; it is, in no instance to permit the number of trustees to exceed the number originally appointed under the auspices of my noble and learned Friend. But, my Lords, my noble and learned Friend to whom I have just referred, says it is a very great defect in the Bill, that I only appoint trustees to a certain number of these charities, while there are a considerable number who will never apply, because their funds are not sufficient to justify an application. What an irresistible argument, my Lords, in favour of the present measure! The course that was pursued by my noble and learned Friend was an admirable course. These charities are well administered; but there are a certain number of charities admitted by my noble and learned Friend to be so limited as regards the extent of property, that the benefical results intended cannot be obtained in consequence of the necessary expenditure. I propose, my Lords, to apply a remedy. The tribunal which I propose will be a comparatively cheap one; and I propose to allow the parties to apply to that tribunal to supply the admitted defect to which my noble and learned Friend adverted. My Lords, I have thus, not very agreeably to myself, gone through the whole of this measure. I have stated its different provisions; I think I have shown a case sufficient to call upon your Lordships to allow this Bill to be read a second time. My Lords, you must allow it to be read a second time, in order to be consistent with yourselves. You allowed it to be read a second time during the last Session of Parliament; you afterwards investigated, considered, and examined the Bill in Committee; you altered and improved it; and when it came down here, your Lordships unanimously adopted it; and can you say, under such circumstances, that the Bill ought not to pass—that we ought not now to read it a second time? Notwithstanding the clamour which has been raised out of doors, and the misrepresentations and unjust statements which have had such influence on many Members of your Lordships' House, I am quite sure your Lordships will feel that it is impossible to resist the appeal I now make to you. I appeal not to your compassion in favour of individuals, but to your sense of justice—a principle which has always been revered and considered sacred in this House. I call upon your Lordships, by the love of justice, and on principles of humanity, to allow this Bill to be read a second time, in order that its merits and details may be fairly discussed and considered in Committee. And after the statement I have made, and the attention which many right rev. Prelates and many noble Lords have given to this subject, I shall indeed feel most mortified—I shall feel, I declare, most ashamed, if your Lordships do not allow this Bill to be read a second time, and considered in Committee of your Lordships' House.

Lord COTTENHAM: My Lords, with every respect to the feelings of my noble and learned Friend on the Woolsack, I feel bound to say, that he has adopted the most extraordinary course with regard to the conduct of this Bill, which he now asks your Lordships to read a second time, which I have ever known to be adopted since I have had the honour of a seat in your Lordships' House. My noble and learned Friend truly told your Lordships that this is a measure of two years' standing. It was brought in by my noble and learned Friend in the Session before last; it went through the ordeal of a Committee last Session; and then my noble and learned

Friend adopted, certainly, alterations, because he could not help himself; and those alterations, or rather, the Bill as amended in Committee, was adopted by your Lordships. But my noble and learned Friend has not adverted very distinctly to the reason why, so much having been done, the Bill did not pass into a law. He merely says, I introduce the Bill nearly in the same shape in which your Lordships have already passed the Bill; and he did that in the month of February last. Now, my Lords, a Bill brought in so soon in the Session, must have been under the consideration of Her Majesty's Government during the recess. I feel that, in justice to my noble and learned Friend, I am bound to take it that the Bill did receive full and ample consideration, and that, upon a deliberate view of the bearings of the whole case, he made up his mind to reintroduce the Bill and pass it, or at least try to induce your Lordships to consent to pass it, in the same form as it appeared in preceding Sessions. From the month of February to the month of May, although the subject was frequently discussed before your Lordships incidentally upon the presentation of petitions, and although my noble and learned Friend has been repeatedly asked what his intentions were in regard to the Bill, it is only now—not until this day—that your Lordships have been informed of those intentions—it is only now that your Lordships are put in possession of a knowledge of what my noble and learned Friend states to be such important alterations. Now, my Lords, I ask, is this dealing fairly by the House? I ask, my Lords, whether the House has not a right to know what a measure is, when it is introduced by a Minister of the Crown? The author of the Bill makes, as he states, and very properly states, many important alterations in it; but he makes no statement of the nature of those important alterations, even now when he asks your Lordships to give your sanction to the Bill, by reading it a second time. No doubt any of your Lordships might have procured a copy of the Bill, as it was introduced by my noble and learned Friend, by an application to the proper officer; and your Lordships may have read the Bill as it was originally printed; but that is not the measure to which you are now called upon to give your sanction. My noble and learned Friend says, he proposes great and important alterations. Why, I ask, did my noble and learned Friend not have them printed, that we might have had some knowledge of them, instead of being called upon to legislate in ignorance of what may be their effect? But instead of explaining the nature of his Amendments, the noble and learned Lord has treated us with an account of a bill of fare at a City dinner. What, my Lords, I may ask, has the Mercers' Company to do with the Bill as it now stands? If I understood my noble and learned Friend, the Mercers' Company will be wholly excluded from its operation—indeed, a great part of the speech of my noble and learned Friend went to show, that he is now prepared to exclude from the operation of his Bill a number of charities which, above all others, ought to be included in it. The greater part of the speech of my noble and learned Friend went to show that some of the great London companies had been guilty of very great malversation; that that fact had been duly established by the inquiries of the Commission—that they had consumed more of the good things of this life at Greenwich than they ought to have done—in fact that they had taken better care of themselves than of the charity they were called upon to administer. But having established that fact, what says my noble and learned Friend? He says: "Those companies whom I charge with such malversation of the charitable funds left to their care—those to whom my Bill ought more particularly to apply, I propose to exclude from its operation!" My noble and learned Friend does not now ask us to include, because they have abused their trusts, the Mercers' Company, or the other companies he particularized; the Bill is not to operate upon them! My Lords, I, for one, cannot sanction such reasoning. My noble and learned Friend called your Lordships' attention to a schedule which he has prepared—a schedule of exceptions—a schedule of those charities which are to be excepted from the operation of this enactment. Now, my Lords, I am perfectly sure that as my noble and learned Friend has already begun to make exceptions—as he has already felt it necessary to exclude some charities from the operation of his Bill, those very exclusions will render the whole Bill altogether nugatory. I told my noble and learned Friend the other night, that if he commenced making alterations in his Bill, that if he excluded one charity here and another there, he would be compelled to go on from one thing to another until the Bill

would be rendered entirely nugatory. The first exception which my noble and learned Friend proposes to make, is to except from the operation of his Bill all charities which derive their support, wholly or in part, from voluntary contributions. Does not my noble and learned Friend see that under such an exception—one so wide, any charity whatever, almost every charity in the country, may exclude themselves from the operation of the Bill? Why, my Lords, which are voluntary charities, and which are not? Who is to decide the point? How are you to distinguish and classify charities in this way? You can only find out which are voluntary charities by the examination of the books of charities. The result, therefore, will be to render the Bill wholly inoperative, because any trust may come under the exception, by accepting any amount, however small, of voluntary contribution towards its funds. Until my Lords, I know in detail what the whole of the Amendments of my noble and learned Friend are to be, and the effect of them, I wish no further to refer to them than as I understand them from my noble and learned Friend's speech; but my Lords, if you think this whole scheme is one not deserving of your Lordships' sanction, I am sure you will not be diverted from refusing that sanction, by promises such as those held out by my noble and learned Friend. I am sure you will not allow yourselves to be drawn into the snare so very skilfully laid for you by the promises of amending a bad measure—promises which never would have been made at all, if the Bill would have stood the test of a discussion—promises made, not because my noble and learned Friend has been converted, but because my noble and learned Friend despairs of ever being able to get the Bill through either House of Parliament without making very considerable concessions, and giving up a great part of his measure. My Lords, this is not a very complimentary position in which to place Her Majesty's Government; but my noble and learned Friend almost admits that he cannot hope to pass his Bill without giving up nine-tenths of it, either here or elsewhere. My noble and learned Friend has endeavoured to enlist your Lordships' sympathies in favour of his Bill, by a reference to what transpired on the same subject during the last Session. My Lords, I will not go into the details of what passed last Session; but my course of proceeding then has been so constantly adverted to and misrepresented by my noble and learned Friend, that I cannot abstain from a few comments upon what then took place. One of the great misfortunes, my Lords, was, that from the course which was adopted in regard to this Bill last Session, it never came under discussion in this House. The Bill was brought in, and then met with the strenuous opposition of my noble and learned Friend near me (Lord Campbell); but it was not discussed upon the second reading. My noble and learned Friend (Lord Campbell) was anxious to test the principle of the Bill upon that occasion; but upon representations made to him he unwillingly agreed that it should go to a Select Committee. That Committee was nominated, of course, by the noble Lord on the Woolsack, who did me the honour to put me upon it. When we met, the first question that was raised was as to the appointment of the Commissioners—as to how they were to be nominated. I do not now recollect, my Lords, how the matter first stood in the Bill, but two propositions were laid before us: in what order they were made I do not remember, but I believe it was first proposed to name the Commissioners in the Bill; the other proposition was that the appointments should be left to the Secretary of State. The latter proposition was strenuously opposed by my noble Friend near me, and by myself: we endeavoured to get an alteration in the provision, and we succeeded. My noble Friend on the Woolsack found himself in a minority in the Committee, and it was determined to appoint, as Commissioners under the Bill, two of the existing Masters in Chancery. That removed one great objection which I had to the Bill—it did away with much of the patronage which it proposed to give to the Great Seal. These Masters in Chancery were already existing officers—the duties to be performed, are duties now belonging to the Court of Chancery — and these officers themselves stated upon an examination before your Lordships' Committee, that they had plenty of time to perform the duties which would accrue under the Bill. We were anxious, therefore, to confide those duties to those officers rather than to Commissioners to be appointed by the Crown; and the more especially were we anxious upon the point, because duties so important as these have always hitherto been performed in open court, whereas the Commissioners proposed by my noble and learned Friend were to perform their

duties in private. My Lords, my opinion is, that such important duties as will arise under this Bill, if your Lordships shall unfortunately pass it, ought to be performed in public by recognized officers, whose labours and conduct the public may have an opportunity of watching, and not by secret Commissioners sitting nobody knows either when or where, and doing nobody knows what! Well, my Lords, we carried that Amendment; but we soon found that we had done so at a very considerable cost, because from that moment we entirely lost the support of my noble and learned Friend behind me (Lord Brougham)—we met with no further support from my noble and learned Friend. My noble and learned Friend on the Woolsack, and my noble and learned Friend behind me (Lord Brougham), were of course all-powerful in a Committee named by either the one or the other of my noble and learned Friends, and consequently the Bill passed through the Committee, with a provision passed by them that two Masters in Chancery and one other person should be appointed Commissioners under its provisions. Well, my Lords, the Bill then came into the House, and the third reading was taken. Finding that I had no chance of carrying my propositions in the Committee, and knowing that the same fortune would attend me in the House, opposed, as I knew I should be, by both my noble and learned Friends now on the Woolsack, I contented myself by stating my views upon the matter in a few words on that stage of the Bill. I then stated, my Lords, that I highly approved of the objects of the Bill, but that I totally disapproved of the machinery by which those objects were to be attained. Those objects were the better administration of Charitable Trusts, and a more careful watching over the conduct of trustees: who could object to such objects as those? I did not, therefore, occupy your Lordships' time in making a long speech, which would have been wholly useless, supported as the Bill was by my two noble and learned Friends. I contented myself with entering my protest against the machinery by which the Bill was proposed to be carried into effect. I stated my objections in as few words as possible; and because I contented myself with that, my conduct has been construed into an approval of the Bill, and to-night my noble and learned Friend has characterized my speech upon the occasion as a sort of "murmuring disapproval" of its principle and details! My Lords, I can only say, my "murmurs" were very distinctly heard upon the Woolsack. My objections were perfectly well known to my noble and learned Friend; and the Bill went down to the other House, it being not only well understood, but perfectly well known, that I entirely disapproved of the machinery by which it was proposed to be worked. My Lords, this took place in June last year—the Bill went down to the House of Commons in June—I should like to know why it was not proceeded with; why it was not passed into a law? It was, my Lords, a Government measure: it was a Bill for the improvement of the law—introduced and passed so far by the highest legal authority in the realm; yet it was shelved in the House of Commons! My Lords, we have often been told that we ought to originate Bills in this House, in order to facilitate legislation—in order to prevent any inconvenient pressure at the end of the Session. Let me ask was not June early enough to send down such a Bill from this House? No, my Lords, "the lateness of the period at which the Bill was sent down to the House of Commons" was not the reason it was not proceeded with! What then was it? My Lords, the reason was that the Colleagues of my noble and learned Friend would not carry it! They were ashamed of it. This is a matter to which I attach considerable consequence. That I disapprove of the Bill, may be a point of little importance—that a large number of your Lordships view it with suspicion, may be of equally little moment—but that the noble and learned Lord's own Colleagues should refuse to pass it, is a point to which all of us must attach the greatest weight. I hear a whisper behind me, that they could not pass it; whether they could not or would not makes little difference — they did not, and your Lordships will draw your own inferences. But, my Lords, here is the same Bill again! My noble and learned Friend had a clear intimation of the disapproval of it by his Colleagues, when they refused to proceed with it: surely after three months' consideration he has not brought in the same Bill, merely that it should share the same fate? That, my Lords, is not the way in which a Government ought to attempt to legislate, neither is it the way in which I think the Keeper of the Great Seal ought to attempt to amend the law! My noble and learned Friend has hinted to-night that it was doubtful how far the Bill would pass the House of Commons. He says he

has "unwillingly altered it." What, my Lords, is the power that has made him so unwillingly adopt these changes? They are changes of importance certainly, though wholly insufficient to remove my objections to this Bill—objections which lie much deeper than the surface, and which I shall now with your Lordships' permission proceed fully and frankly to state. My Lords, my objections to the measure have a much deeper root than can be met by any of the alterations proposed by my noble and learned Friend. I have an objection to the measure quite independent of its applicability to the Charitable Trusts of this country. I cannot look back to what has taken place in the Court of Chancery since 1841, and not implore your Lordships to stop that course which has already been productive of such great evils—which, if continued, must be productive of so many more—and which this Bill, if passed, will tend not only to augment, but to perpetuate. Since 1841, my Lords, the increase of the patronage of the Great Seal has been such as would astonish your Lordships, if brought under your notice in such a manner as to give you an immediate view of the whole. Since that period a system has been going on of withdrawing from the Court of Chancery matters of jurisdiction which it has always held—powers which that Court has always exercised—and of establishing, at an expense to the country which your Lordships little apprehend, new tribunals possessing little better opportunity than the Court of Chancery to determine the matters which may come before them; a system tending, I must say, to the degradation of the Court of Chancery, and to a deterioration of the efficiency of that Court in a manner which I shall presently explain. But, my Lords, before I go into details, I beg to recall to your Lordships' recollection a measure which I have great satisfaction in saying I had the honour to originate in this House. In 1841, shortly before the Government then in power, and of which I had the honour to be a Member, went out of office, I had the honour of introducing into and passing through this House a Bill which I still view with much satisfaction, because I believe it has been attended with infinite success and great public advantage. I refer to the Bill for abolishing the equitable jurisdiction of the Court of Exchequer, and for transferring it to the Court of Chancery. It provided for the appointment of two additional Judges to the Court of Chancery; and it transferred one of the Masters of the Equity Chamber of the Exchequer to the staff of the Masters in the Court of Chancery. That Bill proposed to remove all the business from the Equity side of the Exchequer into the Court of Chancery; and in order to meet the mass of business which had then accumulated in that Court, as well as that which might be expected to be added by the abolition of the other Court, we proposed the addition of two new Judges, and transferred one Master from the Court of Exchequer to the Court of Chancery; and we thought that by those means we should so add to the strength of that Court, that we should enable it not only to get through the mass of business then existing, but also to overtake the fresh business which might be expected to flow into it. Although we thought that increase of business might be considerable, still we thought it was not likely to be greater than we provided for by the additional strength we gave to the Court. Such was the nature of the Bill which I had then the honour of introducing to your Lordships' notice. My noble and learned Friend behind me (Lord Brougham) always and strenuously opposed that Bill, so far as the appointment of two additional Judges to the Court of Chancery went; he denied that either the arrears then in the Court of Chancery, or the additional business to be thrown upon that Court by the abolition of the Equity side of the Exchequer, justified the appointment of two new Judges. My noble and learned Friend was willing to accede to the appointment of one new Judge, but no more. My Lords, the whole subject was anxiously investigated; the measure was sanctioned by the approval of my noble and learned Friend on the Woolsack; and it passed this House in 1840; but it did not pass the House of Commons in that year. It was again introduced in 1841, and again it received the sanction of your Lordships; and, although it did not then pass the House of Commons, it was so well received there, that I am quite justified in saying that it met with the unanimous approbation of that House. Not the slightest opposition was breathed against the measure: its necessity was admitted—though whether it would ever have received the approbation of the political friends of my noble and learned Friend, had the Government of that day not been about to be removed from office, I am unable to say. However, my Lords, it met

with no opposition from that party, and might have become the law of the land before we went out of office but for a reason to which I would not have dared to advert had it not been openly avowed in the House of Commons. When the Bill was under discussion in that House, a very talented and a very learned Gentleman, one of my noble and learned Friend's warm political admirers, declared, although the Bill was a good Bill—although it was necessary that it should pass, in order to expedite the course of justice in the Court of Chancery—although it had been two years before Parliament, yet that if it passed at that moment, when there was a possibility of a change in the Government of the country—although the Bill was necessary, yet still, as its passing then would be to add to the patronage of the then existing Government, that the measure ought to be postponed. Now, my Lords, that appeared to be very sound reasoning to the minds of the political friends of my noble and learned Friend; and the Bill was accordingly thrown out upon that all-sufficient ground. There was no disguise about the matter. There was not even an attempt at concealment. It was frankly said, "The Bill is a good Bill, but do not let us pass it now—let us turn out the Government—we shall then come in—we shall pass the measure just as it stands—and we shall have the appointments of the new Judges!" Accordingly, my Lords, such reasoning succeeded, and for a time the Bill was thrown out; but the promise was kept: the change of Government took place, and the Bill was actually passed in the short Session of 1841 which succeeded the general election of that year, and became the law of the land. I make no complaint of these matters, my Lords; I only refer to them to show your Lordships that in that year a great accession of strength was given to the Court of Chancery—that two new Judges and one Master were added to the judicial strength of former years. We were of opinion that such an increase of strength would be found only adequate to the necessity which existed. I believe my noble and learned Friend behind me (Lord Brougham) thinks that it is more than adequate; but, for my own part, I believe that the strength of that court is found to be as nearly as possible the proper strength, and that both Judges and Masters are now adequate to the duties and to the business they are called upon to perform. As the court stands at present, I believe it to be, as nearly as possible, of the strength it should be; it certainly is now fully adequate to the discharge of all the business which is brought to it. I believe no arrears have accumulated; in fact, my Lords, I believe that the present strength of the court is quite sufficient, if not for more, certainly for all the business which offers, and it is now regularly got through. You have, accordingly, a body of officers attached to that court who are certainly not overworked; and I contend that it is the duty of the Legislature to avail themselves of the machinery already to be found in the Court of Chancery whenever it is possible so to do. Now, my Lords, without meaning to express any opinion upon another measure, which was subsequently passed through the Legislature, I am anxious to call your Lordships' attention to it, in order to show that by its means the duties of the Masters in Chancery have been very materially reduced, and that, as the Masters have themselves said, they have abundance of time fully to carry out the duties which the Bill before us would impose upon them if your Lordships were to allow it to pass into a law. Some of your Lordships may be aware that a considerable portion of the time of the Masters in Chancery is occupied in the taxation of costs. What portion of their time is so occupied may be gathered from the fact, that, since 1841, seven individuals have been appointed, at a salary of 2,000*l.* a year each, to perform that work. Six of those persons were first appointed for the purpose of taxing costs generally; and at a subsequent period, another Master was appointed for the sole purpose of taxing costs in bankruptcy. All of those seven individuals were appointed to perform duties which heretofore had been done in the Master's office. My Lords, I am not complaining of those appointments. I desire to give no opinion whatever respecting them; I am only showing your Lordships what part of the former business belonging to the office of the Masters in Chancery has been removed from that office, and handed over to new tribunals, which have been created at a great expense to the country, and all tending enormously to increase the patronage of the Great Seal. Those were all new offices, and of course the appointments fell into the hands of my noble and learned Friend. In addition to those new offices, others were created: a Bill was introduced and passed, making very considerable alterations in the laws relating

to bankruptcy. In 1843, my noble and learned Friend proposed to appoint some very important officers, or Judges, in that court—most important officers, my noble and learned Friend termed them; and so should I if I were to judge from the salaries attached to their appointments. The cost to the public of those new offices is very great. There are twelve gentlemen appointed Commissioners in Bankruptcy in country districts, each having a new and separate court, with salaries of 1,800*l.* a year each. My Lords, I do not quarrel at all with those appointments, nor do I quarrel with the salaries given to the gentlemen who are appointed to perform duties that are certainly of very considerable moment. But, my Lords, at the same time, 500*l.* a year was added to the salaries of each of the London Commissioners; and why, or for what, I never could conceive. Up to that time they had performed their duties most efficiently—they were happy and contented; and I believe, my Lords, that no men were more astonished than were those very London Commissioners when my noble and learned Friend, in a fit of generosity, said to them—"You do your work well, and do not grumble; you do not complain, but I am convinced that you are underpaid; and you must oblige me by taking 500*l.* a year more each of you." All those new offices and all those new appointments were created and made at an expense to the country of 56,800*l.* per annum, and the patronage of the whole of them has been added to the Great Seal since 1841. The business of the Court of Chancery has been since that year uniformly reduced, while the strength of the court has been continually increasing; and now, with the Court of Chancery in this powerful and efficient state, your Lordships are called upon to take from that court another jurisdiction which it has always enjoyed, and establish another tribunal, at another considerable expense to the country! You are asked, my Lords, now to take from it a jurisdiction which it is peculiarly constituted to exercise; the duties of which, my noble and learned Friend admits, have always been well performed, not only from the character of those called to preside in it, but also because of its peculiar adaptation for the performance of such duties by the machinery which it has at command. My Lords, no one has ever brought any charge against the uprightness or the strict impartiality of the Court of Chancery—no one has ever questioned the competency of its jurisdiction—no one has quarrelled with the mode in which that court transacts the business which is brought before it. No, my Lords, the court is respected—it is competent, upright, and impartial. But, say some, it is inaccessible on account of the expense incurred in going there! My noble and learned Friend has lent himself to that cry. My noble and learned Friend has to-night been making constant reference to the vast sums which certain proceedings have entailed upon charities; but no one knows better than my noble and learned Friend, that the sums he has mentioned were not costs incidental to the Court of Chancery. Those statements make an impression upon persons who are wholly unacquainted with the matter; but I know, and so does my noble and learned Friend, that the vast sums he paraded before us were not costs belonging peculiarly to the Court of Chancery. He knew very well when he was stating them, that the sums he mentioned were the whole costs of the litigation; not the expenses incident to the Court of Chancery, but incidental to all litigation, in whatever court. They included the cost of counsel, of attorney, witnesses, and all the other expenses incident to litigation whether it is in the Court of Chancery, or a Court of Common Law. Then, my Lords, I ask is it fair in my noble Friend to attribute all this expense to the operation of the Court of Chancery? Let me ask, what is the peculiar expense which the Court of Chancery compels a party to pay? Do those large sums which were mentioned to frighten your Lordships into giving this Bill your support—do they show anything against the Court of Chancery? They show that there has been great litigation—but can my noble and learned Friend show that such large sums were demanded in Court of Chancery fees? Let him tell your Lordships what was the amount of fees demanded by that court—what was the tax paid to that court by the parties, and then we shall have some knowledge of the real expenses of the court! All but the fees taken by the court are the usual expenses of litigation, and can form no part of a charge against the Court of Chancery. Those expenses must be defrayed by litigants in any case, whether they go into Chancery or into the Court of Exchequer, or Queen's Bench, or before another judicial tribunal in the shape of a commission, and to tell us what is the aggregate cost of the proceeding, is to give us no information as to what is

the cost of application to any court in particular. I say, then, my Lords, that it is very easy to see what this Bill is; it is alleged to be a Bill brought in for the purpose of saving expense to charities generally, and to smaller charities in particular; but the real proposition is to appoint one of the existing Masters in Chancery as a Commissioner under its provisions. Now, my Lords, I own I cannot see the charm of the separate jurisdiction thus proposed to be created. What can it signify whether a person sits in Southampton Buildings, and is called "a Master," or whether he sits anywhere else and is called "a Commissioner?" The individual is the same wherever he sits; he may be "Mr. Master" in one place, and "Mr. Commissioner" in another place; but his character will not necessarily undergo any change; you may compel him to sit in two different places, but the man will be the same, and his duties will not be altered: he would still be the same individual whether you call him "Mr. A." here, or "Mr. B." there! To me the proposal, therefore, seems an absurdity; and, my Lords, it is a mere fallacy that is attempted to be foisted upon you, when you are told that by merely giving people new names, you will save so much money to the charities of the country! Are these men to be mere accountants while sitting in one place—whilst when sitting in some other place, they are to be clothed with the character of judicial officers? It is a mere fallacy, my Lords, to suppose that such change of character in a public officer would effect any improvement in charity affairs; and I am sure my noble and learned Friend upon giving this matter further consideration, will not press this part of the Bill upon your consideration. But, my Lords, my argument goes still further. You admit the competence—the excellence of the jurisdiction of the Court of Chancery—you admit and acknowledge the fairness, the impartiality, the strictness of the justice administered there; and that you have no other objection to that court than its expense. Now, my Lords, in what does the expense of the Court of Chancery consist? Why in fees. Then, I say, my Lords, diminish that expense—reduce those fees—make such arrangements as will enable parties to come into the Court of Chancery at as small an expense as they could possibly go before a Commissioner, and then the parties will have justice administered in open court, by a tribunal to which no complaint can attach, and at an expense not exceeding that which must be incurred in obtaining the assistance of a Commissioner sitting in private, and without any public control. And, my Lords, I am happy that it is within my power to give your Lordships, by an illustration, an adequate idea of my meaning—that I am able to refer you to an instance where the plan which I recommend has in some degree been accomplished with benefit to all concerned. In the consideration of a Bill which was introduced during the last Session by a noble Duke, now sitting upon the cross benches, for facilitating the drainage of lands, it was found highly desirable—nay, indeed, necessary—to have the sanction of some tribunal, before any expense should be incurred. In order fully to ascertain what was the minimum of expense at which the sanction of the Court of Chancery could be obtained, an inquiry was set on foot. Officers of that court were consulted, and we found that in cases where no opposition was offered (for your Lordships are aware that when there is opposition, it is impossible for any one to know where the expense may end); but in ordinary cases it was ascertained that an application can be made to the Court of Chancery for a cost of 15*l.* And what does the 15*l.* expense consist of? Why, my Lords, of fees—of fees paid to the Court. Then I say, why not remit those fees altogether in such cases as are contemplated by the Bill before us? Let the parties go at once into the Master's office and obtain his sanction and approval of whatever is right, without any fees whatever being charged—there can be no difficulty in that! But, my Lords, what is the answer to that proposition? The objection to it when I made it before, was taken by my noble and learned Friend, the Master of the Rolls, who is not now present, but who said, "These fees are a tax imposed upon the suitors before the court for the purpose of keeping up the establishment—what right have you to exonerate the parties from these fees at a probable expense to the public?" Does not my noble and learned Friend, by this Bill, propose to intermeddle with these fees? Does he not reduce this tax levied upon the suitor for the purpose of keeping up the establishment? Why, my Lords, is not taking away the business of the court an interference with the tax? My noble and learned Friend says you must not interfere with the fees because of the Fee Fund—that fund must be kept intact, to meet the charges to which it is liable;

but at the same time he says, "Take away the business of the court—erect a new tribunal for the purpose of transacting that which from time immemorial has been done by the Court of Chancery, and thereby reduce the fees which are paid into this fund." My Lords, may I not ask whether the Fee Fund will not be in exactly the same predicament in the one case as in the other? If it is robbery in the one case—undoubtedly it must be quite as much robbery in the other! Take away the business, and you take away the fees, and thus you sanction the principle of remitting the fees. But "the principle?" Why, my Lords, the principle has been recognised over and over again. Some years ago, my noble and learned Friend adopted a plan that he promised us was to afford, and which, I am bound to say, has proved a great benefit. My noble and learned Friend adopted the plan of substituting salaries for fees—the fees to be still paid by the suitors, but in place of going into the pockets of the officers, they went to the establishment of a fee fund. Very shortly that fund was considerable—it accumulated very fast, and when I acceded to the office of Lord Chancellor, I found that my predecessor had been in the habit of remitting fees. My Lords, it gave me great pleasure—very great satisfaction to find that by means of the accumulating fund, I was able to follow the very excellent plan of my predecessor in office. I also remitted fees, and while I held the Great Seal, as the fee fund increased, the taxation upon the suitors diminished—and if that plan had been allowed to go on, there would now have been a great diminution in the expenses which are charged upon all suits in the Court of Chancery. Unfortunately, however, that plan of diminishing the expense to suitors has been stopped for a considerable length of time. Great burdens have been thrown upon the fee fund, and consequently no fees can now be diminished. I am not going to say that the discontinuance of so good a practice is to be charged as a fault to my noble and learned Friend; but I must say that I deeply regret the change which has taken place. The measure of 1841 threw a burden upon that accumulating fee fund from which it has not recovered, and in my opinion the time has now arrived when Parliament must find it necessary and convenient to relieve the suitor in the Court of Chancery from the burden to which he is rendered liable. In my opinion, the burdens thrown upon the fee fund, are not those which ought to be thrown as a tax upon the suitors in the court. It is a misfortune that very large compensations have to be paid—but, however they have arisen, I contend that they ought to form no charge upon this fee fund, and that it is necessary that the public should relieve the suitor in Chancery, not only from many of the fees now charged upon him, but also from all charges for compensation to officers. But, my Lords, I return to my subject. I repeat that I object to this Bill of my noble and learned Friend upon principle. It can only be defended upon the plea of necessity. I deny that plea—I deny its necessity! My Lords, I deny its expediency, the more particularly because it proceeds upon the principle of carrying out a system to which I very strongly object. My noble and learned Friend has enumerated certain figures in order to show your Lordships the amount of property which is invested for charitable purposes, and with which this Bill proposes to deal. My Lords, it is exceedingly difficult to—

The LORD CHANCELLOR: I only alluded to the number of charities.

LORD COTTENHAM: The number of charities may be ascertained so far as they have been examined, but the examination has been by no means complete. Thirty-eight volumes have been published, consisting of 27,200 folio pages, which your Lordships may find light reading at your leisure moments—they are so bulky that seriously no one ever thinks of reading them through. Generally people only look at them for the purpose of examining into some particular charity in which they happen to feel some interest. But, my Lords, those who have taken the trouble to wade through such a mass of evidence and information, state that the number of Charitable Trusts in this country is supposed to exceed 40,000—though by how many nobody seems to know. 40,000 then is the number of Charity Trusts, so far as they have been ascertained—probably there are many more. The incomes arising from the charities is computed at 1,500,000*l.*; the land subject to them is supposed to exceed 500,000 acres; the schools enjoy an income of 312,000*l.*, and the number of children educated for that sum is stated at 264,000. Well, my Lords, take it so—we have 1,500,000*l.* of income in the hands of 50,000 persons for the purpose of charity. But your Lordships must remember that charity in the eye of the law

does not mean mere eleemosynary aid, either for maintenance or education—in the eye of the law everything which is dedicated to the public, is charity—whether money has been dedicated to the building of a bridge, or for its maintenance—whether for the building of a church—or a school—it may be for the benefit of the poor or not, if it be for the benefit of the public, it is charity in the eye of the law, and I presume ought also to be brought into our calculations while forming an estimate of the extent of interference proposed under this Bill. Now here, my Lords, another and a most important question arises, which is, as to the application of the great increase which often accrues in funds left for charitable uses. Out of this point, many questions of the strictest legal nicety have arisen. By good management, or some fortuitous circumstance, the value of a trust property has been greatly enhanced. The grave and important question then arises, ought the increase to go to augment the charity, or does it become the property of the trustees? Cases of this kind very frequently occur; one of them was argued at your Lordships' bar but a short time ago; indeed they are of frequent occurrence; they have formed a very large part of the proceedings of the Court of Chancery, from an early period down to the present time. It is very often, my Lords, a matter of much difficulty to come to a satisfactory conclusion as to the intention of the donor. It has been ruled by the Court in Equity, that the donees were entitled to the property created by the increased value of the Charitable Fund. In other cases, it has been held that the benefit of the charity and the donee was joint—that their interests ran *pari passu*, and both shared in the increase. These, my Lords, are matters of the utmost difficulty, in general caused by the almost impossibility of arriving at a satisfactory conclusion as to the intentions of the donor. Now, my Lords, suppose some of those companies to whom my noble and learned Friend made such happy allusions, suppose some of them to have received property upon trust, which in the course of time they have greatly increased; suppose that they were advised, and believed that such increase was their own property—it may be disgraceful in them to eat and drink all those fine things which my noble and learned Friend was so jocose over, but if the company believed they were dealing with their own property, although it might be making a bad use of the money, still, are the parties to be treated as fraudulent trustees? My noble and learned Friend has kept back one part of the case from the knowledge of your Lordships, to which it now becomes my duty to call your attention, I mean the effect this Bill will have upon what we term "constructive trusts." My Lords, a large portion of charity funds arises not from property specially or altogether dedicated to charitable purposes, but from charges upon real estate, or from sources made payable out of personal property. Many of your Lordships whom I now address may be able, probably of your own knowledge, to bear me out in that. Property is inherited subject to a rent charge, payable out of the estate. When I come to explain the nature and the effect of the provisions contained in this Bill of my noble and learned Friend, your Lordships will find, that any of you, or any other proprietor who so pays a charge of any kind for any charitable purpose—I mean charitable in the eye of the law, as I have already explained to your Lordships—you will find, that you, and all persons so circumstanced, will become subject to the jurisdiction and the meddling of the irresponsible Commissioners who are to be appointed under this abominable measure; it matters not whether the charge be 40*s.* or 100*l.* My noble and learned Friend has not explained this part of the Bill to your Lordships; it is, therefore, my duty to inform you how this Bill will operate, if your Lordships should be so unwise as to allow it to pass. I was saying that it matters not whether the charge upon your estates be 40*s.* or 100*l.*; in that I was wrong, because, if the Bill pass, I should advise any of your Lordships who may be subject to a 40*s.* rent charge to raise it over the 100*l.*; by so doing, you would not only have the satisfaction of adding to the funds and usefulness of the charity, but you would also protect yourselves from the intermeddling of these Commissioners, who otherwise would have power to inspect all the deeds and accounts of the estate, which must be produced to them under the penalty of fine and imprisonment! Your Lordships, indeed, would be protected from the latter penalty by your privilege, but not so those who are in the management of your estates; and all this because your Lordships' estates were subjected to a payment of 40*s.* a year for ages before you were born! Now, my Lords, I shall very shortly state the clauses which bear upon this part of the case. The

Bill is proposed to be applied to three descriptions of charities—viz., to those of the largest character—to those under 100*l.* per annum, and to those charities which are placed under the charge of Municipal Corporations. My noble and learned Friend said, that large charities were to be exempted from the operation of the Bill. We shall presently see how far my noble and learned Friend carries out that intention. Your Lordships will bear in mind that by the Bill, jurisdiction is given to the Commissioners over all property which is in any way subject to a charitable trust; the inspectors to be appointed by the Commissioners will have a right to pry into the whole of the property which is subject to the charity—not the Trust Fund, or so much of the property as will cover the Trust Fund,—but all property which is subject to the charity—so that if 40*s.* a year is payable out of a property of 10,000*l.* a year, the whole 10,000*l.* will be liable to all the jurisdiction given to the inspectors through the Commissioners under this Bill. The inspector may come and require an investigation into all the accounts of the estate; he may summon the trustee, or the manager of the estate, before him, and inquire into the mode in which the accounts are kept; he may say to the proprietor of the estate, you do not keep your accounts in a proper manner—you must keep them in this way, or in that way, and the only reason he has to give is, "Oh! it will be more satisfactory to me;" and you must obey his orders, or if not, fine and imprisonment is the immediate consequence! He may go still further; he may say to the proprietor of the estate, or to his manager, "I wish you to keep a clerk, and you must do it; and what is more, you must also pay him yourself." Yes, my Lords, by the provisions of this Bill, the inspector has the power of saying to any one whose inherited or other property is subject to a rent charge of 40*s.* a year, "a clerk you must have, and you must pay him yourself." Having obtained the accounts of the estate, the inspector says, "Now I shall proceed to audit them:" and here allow me to express the surprise with which I heard my noble and learned Friend state that the inspector was not to interfere. What is the meaning of auditing accounts! I have always understood that auditing accounts meant inspecting them—altering them if not correct, and allowing or disallowing items; and this is the power which my noble and learned Friend gives by this Bill. Is it not, my Lords, something very like "interference?" But, my Lords, there is another power given by this Bill to which I beg your Lordships' special attention. Wherever there is a rent charge upon the estate, the Commissioners or inspector will have the power of demanding the deeds of the estate; he may say, "I want to see the deeds belonging to the charity"—of course they are the deeds belonging to the estate, he is to have the power of ordering extracts or copies. Yes, the Commissioners, sitting in some private hole or corner in London, will be able to order copies of all old deeds, or extracts from them, and you dare not refuse them on pain of fine and imprisonment! And at whose expense is this to be done? Why, my Lords, if any of your Lordships should unfortunately have a rent charge upon your estates, you must do all this at your own expense. But even that is not all! Immediately after the passing of this Act, a copy of every new deed connected with the charity—that is, connected with the estate—must absolutely be sent to the Commissioners, at the expense of the trustee and under the same penalty of fine and imprisonment! And this, my Lords, is not all yet; you must not only pay the expense of the deeds, but whenever summoned to attend before the Commissioners, you must do so, of course, by your professional agent; your attorney must attend them in London, and you must defray the whole cost, because no provision has been made otherwise by my noble and learned Friend! If the Commissioners themselves have committed a mistake—if by any act of theirs expense is incurred, then and then only is the expense to come out of the trust fund! As an illustration of how this absurd power will work, I will state to your Lordships two cases, in which to my knowledge this part of the Bill will do great injustice. In the Leicester case the number of deeds was not less than 50,000; but I will pass on to the other case which I know better, and it will be a better illustration of the expense to be entailed upon trustees than any I can find. It is the case of one of the city companies which has let a large property for building purposes, and the land is now covered with houses. The old or original lease is about to expire—of course the sub-leases fall in with the original. There are 5,000 sub-leases which must all be renewed; and according to the provisions of this Bill, copies of the whole of these 5,000 deeds must

be sent to the Commissioners at the sole expense of the company! What use the Commissioners are to make of them it is impossible for me to divine; but if the Bill is passed into a law, sent they must be, whatever may be the expense. My Lords, there is one other part of the Bill to which I beg to call your Lordships' attention. I may call it the financial part of it, that portion of the measure which provides for raising the money to pay the expense of the jurisdiction itself. In order to do so, a tax is levied upon all charities above 100*l.* a year of 3*d.* per pound, and upon all under, a tax of 1½*d.* per pound, which tax is to be paid by the trustees to the Accountant-General in the Court of Chancery. Now your Lordships will remember that the charities are in number exceeding 40,000; of 6,000 of those, the income ranges between 1*s.* and 1*l.* per annum. Now, my Lords, can any of your Lordships inform me how the trustees in the former case—the trustee of 1*s.* a year is to pay his tax to the Accountant-General? Why, he cannot find a coin small enough to make his payment! It is true, my Lords, that, no doubt for the very great convenience of our largest merchants, and a very large class of the community, we have now a coinage of one half a farthing; but even that small coin will be found unfit for the purpose of the trustee of 1*s.* a year. And, my Lords, how are these payments, which cannot be made in money, to be made in *modus operandi?* Are the trustees to carry the amount of their tax to the Bank, and pay it in to the account of the Accountant-General of the Court of Chancery, and is he to take an account of all those decimals of farthings? Why, my Lords, in nearly the whole of the cases of these 6,000 trusts, the expense of paying and receiving the tax will be greater than the tax itself! It cannot be paid without incurring a larger expense than itself, nor without very much of inconvenience and annoyance. And what is to be done with the accounts of the 40,000 charities? Are 40,000 accounts to be opened in the Bank of England in the name of the Accountant-General of the Court of Chancery? Why, my Lords, many of these very small charities would be ruined by the expense. And now, my Lords, if these are the terrific powers which are to be vested in the Commissioners over all charities—that is to say, to all charities that are to be audited, and if audited, regulated, what will be the effect upon the smaller Charitable Trusts? Look at the powers given by the Bill to the Commissioners in respect of trustees—their powers are absolute to do as they please. In cases of Charities under 100*l.* a year, the Commissioners may prescribe the manner in which the trustees shall be appointed. They are too great personages to be bound by what would bind the Court of Chancery, and accordingly they are to have power to set the appointment of the donor aside. True, they must find malversation against the trustees; but what so easy when the only judges of the malversation are the Commissioners themselves? But their power extends still further than in a case of malversation. When a trustee dies, they are to have the power of appointment. Now, my Lords, is the value of a charity of 100*l.* a year so trifling? Its capital cannot be taken to be less than 3,000*l.*: so that, in a very reasonable time, you will have the trustees of all the charities in the kingdom of the value of 3,000*l.* appointed absolutely by these Government Commissioners. These Commissioners are to investigate all the accounts—to audit both payments and receipts:—if they have an object to serve, what so easy as for them to find fault with the conduct of trustees whom they dislike? My Lords, the Court of Chancery sometimes removes trustees, but that only in cases of fraud, and according to the well-known forms and practice of the Court; but these Commissioners are to be armed with far greater powers than ever the Court of Chancery has exercised, than the Lord Chancellor of England sitting in open Court ever has enjoyed. My Lords, it is greatly beyond the power of the Court of Chancery to remove trustees without cause assigned, but these Commissioners may confine the cause to their own breasts. In the Court of Chancery, trustees are removed by the solemn sentence of a judge, from whose sentence lies an appeal to this House—the Commissioners may dismiss as many trustees as they please upon their own discretion, without any appeal lying from their decision, without any control whatever. But, another monstrous power is given to the Commissioners, which is not, and never has been, possessed by the Court of Chancery. If the Commissioners choose to say that the intentions of the donor cannot be carried into effect, they are to have the monstrous power of applying the funds to any charitable purpose they may please. My Lords, I am decidedly opposed to such a power being granted. If the wishes of

the donor are obscure, or cannot be carried into execution, the rule of the Court of Chancery ought to be adopted, and his intention should be fulfilled *cy-pres*. But that seems much too limited a power for these Commissioners! My noble and learned Friend appears to be of opinion, that they must be relieved from those fetters which both law and wisdom have imposed upon the Court of Chancery. My Lords, there is another and an important part of the case which has not hitherto been adverted to. The Commissioners are not only empowered but enjoined to inquire what Charitable Trusts consist of. Now, that is one of the nicest points which ever comes under the notice of the Lord Chancellor. Cases are constantly arising wherein such a delegated power must prove highly injurious. Questions, for example, arise, whether certain funds belong to the charity at all. Suppose former trustees have granted leases, which leases are impeached for want of consideration, or on other grounds—the leases have been granted, but still they may belong to the charity—but who is to ascertain the fact? Whatever power is possessed by the Lord Chancellor is to be given to these Commissioners, and when a power is given them to ascertain the fact I have just stated, they will possess the power of inquiry whether the estate of any noble Lord now here present does or does not belong to a charity. My noble and learned Friend made a slight reference to a Bill brought in by Sir Samuel Romilly, but I beg leave to say, that Bill was limited in comparison to the Bill of my noble and learned Friend. Under that Bill, when an adverse claim was set up, the question of title was necessarily brought before the Court, and it must first be established that the fund was a charity—but by my noble and learned Friend's Bill, all is left to the decision of the Commissioners, who will also have the initiative in their own hands. In the case of tithes, the moment an adverse claim is set up, the power of the magistrate ceases. The magistrate has jurisdiction in the first instance, but the moment a claim of right is set up, his jurisdiction ceases. Does my noble and learned Friend mean to destroy that principle, and give the Commissioners power to set aside the practice of ages? But it is said that there is less objection to the Bill, because the judicial powers of the Commissioners will be limited to estates of 100*l*. a year. Now, my Lords, I do not see that that diminishes the objection. Many congregational bodies have come to me, and have represented that they have the administration of properties which come under the denomination of Charitable Trusts of less than 100*l*. a year, and which consist entirely of chapels. Will your Lordships sanction the principle that the chapels of the various denominations of Dissenters shall, regardless of the Act of Toleration, be brought under the jurisdiction of a State Commission? My Lords, when I consider the position of another class of charities, I confess that my astonishment is increased. Your Lordships will remember the struggle which there was respecting the appointment of trustees of Municipal Charities, under the Corporation Reform Act. It was felt at that time that the appointment of those trustees would give great political influence. Great care was taken at that time to avoid the possibility of letting that influence be used by a Government, or otherwise, for its own purposes. My noble and learned Friend was most strenuous in his efforts to secure that object; yet what does he say now? By this Bill he says, "I, a Minister of the Crown, will myself appoint a Commission which shall have in its hands the appointment of all the trustees of Municipal Charities, and not only their appointment, but the power of removing them at pleasure." After having for years laboured to prevent the exercise of political influence in this matter, my noble and learned Friend has all at once found out that he, a Minister of the Crown, ought alone and uncontrolled to exercise all this patronage. My Lords, I will not be the man to impute motives to any one, but I must observe that from the tone taken by my noble and learned Friend, when I was sitting in the place which he now occupies, I should anticipate, were I the author of this Bill, that he would be one of the very first among your Lordships to suggest that my object was to get the nomination of Municipal Trustees into my own hands for a bad political purpose. My Lords, I have always said, and I now repeat, that there is nothing in which impartiality ought to be so much an object as in these appointments; and I believe the public will never think that that object is attained if this Bill unfortunately should pass into a law. But, my Lords, my noble and learned Friend will probably tell you that it does not signify whether these appointments are made by a Master in Chancery sitting as a Master, or by a Master in Chancery sitting

as a Charity Commissioner. My Lords, I will tell you where lies the difference. A Master has public duties to perform, for the due performance of which he is liable to the Court he serves, and he would never sacrifice his judicial character by making a bad appointment from an improper motive. But as a Commissioner he decides without any responsibilities. My noble and learned Friend feels the force of this argument so strongly that he tells your Lordships to-night that he is ready in these cases to give a power of appeal. But to whom is the appeal to lie? To the Lord Chancellor! So then, my Lords, you must go into the Court of Chancery after all; and this is the way my noble and learned Friend proposes to save expense to the Charities! My Lords, the simple truth is that nothing will be saved to Charities by this Bill, whilst in many cases expense will be incurred under it. In short, wherever the Bill is operative it is unjust:—in many cases it is not operative at all, but wherever it does operate it operates unjustly. My Lords, one reason why I say it is unjust is, because it interferes with the rights of private property. A donor surely has a right to say, "I give a certain sum for certain purposes, and I wish it to be managed by certain persons, and when one of the trustees dies, then another trustee shall be appointed, and I lay down rules for the management of the property?" But by this Bill my noble and learned Friend says, "If you give money in charity, I will manage it for you." True there is an exception made in the cases of Charities which are subject to inspection by a visitor; but, my Lords, why may not a man repose as much confidence in a trustee as in a visitor? I say, therefore, the Bill is unjust at it affects property; and as it affects the Charities themselves I say that it is injurious. How far its injury will extend is best evidenced by the number of petitions which have been laid upon your Lordships' table against the Bill. I know my noble and learned Friend (Lord Brougham) says that these petitions are from trustees, and that all trustees are fraudulent; but, my Lords, I am not inclined to assent to so sweeping a denunciation. My noble and learned Friend on the Woolsack taking different ground, observes that the petitions are mostly from the Civic Corporations whose funds are misapplied. But when my noble and learned Friend was talking thus of the City Corporations, why did he omit all mention of the cases in which, so far from giving less in charity than the donor bequeathed, these Corporations give from their own funds infinitely more? My Lords, these cases are very numerous. Will they continue to exist if this Bill should pass? I submit, not. There will be no inducement to such benevolence, but, on the contrary, every inducement to subject as little of this property as possible to the Commissioners' inspection. And, my Lords, there is another and a very important class of Charities—not important in amount, but important in their benefits to the poor—respecting which I must say something. I refer to small parochial charities left for the assistance of the sick and maimed, and of poor helpless people generally. These are generally administered by the parochial authorities—the minister and parish officers. In many of these cases there is no authority for such a mode of distribution, and the administrators can show no legal interest in the fund; but will your Lordships subject these ministers and parish officers to be called upon to say why they administer these charities at all—or why they administer them in such a manner, or to such an individual? Will you subject the administrators to be deterred from pursuing their work of benevolence by the fear of being cited before the inspector—a functionary whom I own I should be sorry to see entering into my domain! My Lords, these parochial authorities may be doing their best to secure their greatest service to the poorer parishioners, and yet without being guilty of any malversation of their trust, they may be cited before the Commissioners, put to considerable trouble and expense, and ultimately be subject to degradation. But, after all, these objections are nothing compared to the injury which this Bill will inflict on the whole body of Dissenters. The Dissenters are, in fact, subject to all its provisions without receiving any share of the protection it affords to others. They are very much struck with that provision of the Bill which provides, that in all trust estates belonging to the Church, where there is no legal visitor appointed, the bishop of the diocese shall act in such capacity, and that in the case of all trusts for the special benefit of members of the Church of England, persons elected trustees shall make a declaration that they also are members of the Church of England. My Lords, the Dissenters are very much struck with the fact that there are no corresponding provisions in the Bill applicable to their cases. The trustees of their

charities are to be appointed by the Commissioners without any such declaration —they may or may not be members of the community to which the charity belongs. The probability is that they will be members of the Church of England. Now this act applies to all chapels, schools, and trusts generally relating to dissenting bodies; and the Commissioners are to appoint the trustees of their schools and chapels. What! will your Lordships give a power to an irresponsible Commission to make members of the Church of England trustees of dissenting chapels? You let Dissenters perform their religion now according to their consciences; but what will they be able to do when this Bill passes? But more than this. These Commissioners are to have a power whenever "it may seem to them that the will of the testator is not carried out, to approve a scheme for the future regulation of the trusts. What! Commissioners — members probably of the church or of any other persuasion—approve a scheme for a Wesleyan or an Independent school! Just let your Lordships try it! If they do not know, or cannot make out, what the donor intended, the Commissioners may apply the trust to any other purposes they please! My Lords, how will this work in the case of a dissenting trust? Don't tell me that the Commissioners are not likely to exercise their power in such a case. If you give them the power at all, you must be prepared—ay and be responsible—for any mode of exercising it. My Lords, I believe I have now pretty nearly gone through my case. I fully admit—I have never disputed, that much may be done, and ought to be done, to meet the difficulties which present themselves to the due execution of Charitable Trusts; but I am sure that your Lordships can, in respect of these trusts, do nothing more injurious nor unjust than to adopt this scheme. I do not think there is any great difficulty in supplying the existing want. You want additional facility in the power of appointing trustees. It is a simple process, and no danger can be seen in still further simplifying it. It has been proposed that a board of ratepayers should have the appointment. That may be in some sort objectionable. Others have proposed that the appointment should vest in the clergyman and parish officers, and to that, as relates to parish charities, I see no objection. But if there should be obstacles to that working of the system, then it might, I think, be well considered whether the nomination might not vest in the guardians of the poor. There you have an assembly of persons usually of different ranks, from different parts of the same locality, and who may be well supposed to have considerable knowledge of the most eligible trustees to be appointed. Others have proposed to refer the appointment to the magistrates in Quarter Sessions: perhaps that would be scarcely so good a plan as the last; but in some way or other I am sure this difficulty might be easily met, and for the most part in a manner that would be satisfactory to the public. Then, as to the expenses in the Courts of Equity, I would remove all the fees now paid in the cases of Charities which come before these courts, thus keeping the control in the Court of Chancery, preventing the taxation of Charities, and avoiding the creation of such a private, despotic, and irresponsible tribunal as is now sought to be created. I need say nothing more. I will not declare that this Bill has no good points, for there are some objects in it which I approve of —that, for instance, of vesting the legal estate in trustees; but, my Lords, the good forms such a very small part of it, while, as a whole, it is so bad in principle, so faulty in its construction, so repugnant to right, so distasteful to individual feeling, and so insufficient for the purposes it professes to have in view, that I trust your Lordships will put an end to the scheme by voting against the second reading. I therefore move that the Bill be read a second time this day six months.

LORD BROUGHAM: My Lords, I must say that I feel considerable difficulty in rising to address you after the observations of my noble and learned Friend who has just sat down. Those observations have been so multifarious, sometimes so grave, at other times so light, sometimes so jocose, at other times in so serious a vein, that while I listened to them with interest —with as much interest, indeed, as it is possible for any of your Lordships to give to a speech delivered between seven and nine o'clock, and after the detail of such a dinner as that to which my noble and learned Friend on the Woolsack treated us—yet I must own that the very variety of those observations prevents my making any attempt to follow my noble Friend through them. But, my Lords, the matter which I feel to be the most embarrassing, is the confident sentence which the noble

Lord concluded by pronouncing upon this Bill; for I never before heard a judge, in any court of law or of equity, pronounce a sentence of condemnation so sweeping—so imperative—as that pronounced by my noble and learned Friend. He says the Bill can never possibly pass—that it never can become the law of the land—he tells us, with greater power of second sight than I have ever heard pretended to even by my noble and learned Friend here (Lord Campbell), who possesses a sort of hereditary power of second sight, that though this may pass your Lordships, it never will, it never can, pass the other House of Parliament—that it is in fact a Bill that is doomed. Now, why? Because, last year, says my noble and learned Friend, this Bill was sent down to the other House of Parliament in the month of June, and then the Prime Minister and his Colleagues would not venture to pass it; and, therefore, says he, my noble Friend on the Woolsack and his Colleagues differed about it. Why, never did I hear a greater jump to a conclusion! The Bill went down to the other House last year at the end of June. The Government then saw that it was too late to pass it; and not because they differed in opinion about it, but because it was so late in the year, they included it in the general list of Bills condemned—in that "massacre of the innocents," which takes place every Session, and frequently involves some of the best Bills of the Session. But how came it that the Bill was so late in getting to the other House? Why, that was partly the fault of my noble and learned Friend himself, who detained us so long in Committee upon it, though, I must say, without mentioning one-twentieth part of the objections to it which he has urged to-night. But, my Lord, so far was my noble and learned Friend on the Woolsack from believing that the Ministers differed in opinion about this Bill last year, that really I believe if any one is surprised to-night at hearing such a statement, it is my noble and learned Friend himself. He knew the reason why it was last year postponed; and I remember having been with him at the time, and hearing him express, and being a witness to his disappointment at finding that it had not been made an exception to the general massacre. And now, my Lords, in replying to my noble and learned Friend, I have so great a choice of topics, in consequence of the vast variety of mistakes he fell into, and the variety of errors into which, from excess of zeal, he plunged headlong, that I really find it difficult to choose between them. I am bound, however, to make a selection; and I will, therefore, take those which appeared to have made most impression on my noble and learned Friend himself. I break bulk on the jocose part of the speech—that part which he told you with reference to these charities, that some were of 20*s.* and some of 1*s.* a year, and that the financial part of the scheme must fail, because as the twentieth part of the fund was to be paid to the Accountant-General every year, there was no coin in the realm by which the payment of the twentieth part of 1*s.* could be made. But there is a provision in the Bill which my noble and learned Friend has overlooked, and which completely meets this objection; for there is a proviso in the Clause which runs "except in such cases as the Commissioners shall order that it shall not be paid at all." And, therefore, there is nothing in that objection—no such difficulty as my noble and learned Friend conceives, for the Commissioners may order that no payment in these cases shall be made. But then says my noble and learned Friend, here is a Bill full of "Patronage, patronage, patronage:" there is nothing in it but "Patronage," and of that you have had enough already. First, in order to show that there had been an increase of patronage, my noble and learned Friend finds it necessary to digress very much, and to pass to the consideration of measures with which this has nothing to do. If any person had come down to listen to the debate at one period of my noble and learned Friend's speech, he would have thought the Lunacy Bill was the subject of discussion, or else that my noble and learned Friend should be one of the subjects of that Bill, for he then spoke only of the Lunacy Bill. He referred so much to that Bill that if a stranger had entered the House, his most probable remark would have been, "How long is this endless and tiresome debate upon Lunacy to last?" And the reply would have been, "You are mistaken: we are not discussing a Lunacy Bill, we are considering a Charitable Trusts Bill." Now, with regard to the Lunacy Bill, it is quite true that two Commissioners were appointed under it; but, my Lords, I am quite ready to share in the responsibility of those appointments, for I acquiesced in them; and I believe it is now generally admitted, that no measure has ever answered more entirely, or proved more

satisfactory in its working than the Commission appointed by the Lunacy Bill. I state this, my Lords, with the more satisfaction, because I acknowledge that at one time I had some doubts respecting those Commissioners; but having now inquired into the matter, I can safely say, that I believe the Bill has been entirely successful. But then, if the person to whom I alluded as listening to the debate had come in a little later, he would have found that my noble Friend had gone from the Lunacy Bill to the subject of the Taxing Masters of the Court of Chancery. For an entire quarter of an hour we heard nothing from my noble and learned Friend but about the increase of the salaries of the Masters in Chancery. "How long—" the stranger would have inquired, "How long is this tedious debate to last upon Taxing Masters in Chancery?" And the reply would have been as before—"You are mistaken; we are now discussing the expediency of introducing a Bill called a Charitable Trusts Bill!" But with respect to these Masters in Chancery, I must say there never was a Minister, a Chancellor, or a Member of the Executive Government who, being a Member of a Government which effected great reforms, stood higher or more impregnable than my noble and learned Friend on the Woolsack on the ground of patronage. Does my noble and learned Friend appoint these Taxing Masters? Not one of them. Following the example which I set him in the appointment of official assignees in 1831, he has abandoned the patronage embraced in the appointments of these seven officers, with 2,000*l.* a year each, and has vested it entirely in a Commission. But then the person whom I described as listening to my noble and learned Friend's speech would soon find that he had got to another subject, that of the Vice Chancellors. Now it is quite true that my noble and learned Friend on the Woolsack has appointed two Vice Chancellors, but then he has taken the best course for preventing abuse from those appointments, for he has provided in the Bill for the abolition of the offices, and the appointment of the Vice Chancellors to the Court of Review when the offices terminate. My noble and learned Friend spoke throughout on the subject of patronage, as if it were something to be coveted rather than to be dreaded, whereas all who have felt it must know that it is the most grievous burden that can be thrown upon a Minister, except, perhaps, receiving his quarter's salary. But at last my noble and learned Friend in his speech did come to the Bill, at least he came to the subject of trustees. I often asked myself, while listening to the noble and learned Lord, whether he would once by any chance meander into the subject matter of debate, or whether it was his intention to consume the entire night by continuing the subject he was then discussing. But at last he came to the subject of trustees. He complained that this Bill would allow the Commissioners to appoint trustees in corporations, where most important political and party interests were concerned. "Was ever such a thing known," said he, "to allow a person nominated by the Lord Chancellor, a political judge, to fill up vacancies in the trustees of corporations?" Why, in whom is the appointment vested now? In the Masters in Chancery. Well, then, instead of being in the hands of persons appointed by the Lord Chancellor, the appointments are in the hands of the Lord Chancellor himself; for if the Master's appointment is excepted to, the matter goes before the Lord Chancellor, a political judge, to whose decision it is left. And why, let me ask, should it be supposed that a Master in Chancery is likely to be less politically biassed than a Commissioner? I believe the Commissioners proposed to be appointed by this Bill will stand equal between the parties, and that they will be respected as impartial judges. I only regret that any appeal whatever is to be given to the Great Seal, which must be held by a political Minister. But, my Lords, I must here say, that I could not but admire the tact and ability with which my noble and learned Friend omitted all mention of charity abuses. He picked his way most judiciously through that miry pool, striving, as it would seem, to avoid the dirty parts of the case, lest he should chance to splash himself by stepping into some charity abuse. No bird, no duck, could have stepped more lightly across a stagnant dirty pool than did my noble and learned Friend step by all the dirty parts of the charity abuses. Except in the case of some fair lady,

"Where the tight ancle meets the astonished gaze,"

as she picks her way to church or chapel, or

"When vernal breezes to the parks invite,"

endeavouring to save her silken hose as she steps from her carriage to the verdant sward, I have never, my Lords, seen anything equal to the skill, the lightness, the dexterity, and the success displayed by my

noble and learned Friend, in avoiding the difficulties which he here encountered. Carefully did he shun all mention of malversations and misappropriations such as are recorded in 5 Symons and 1 and 2 Milne and Keene, books where my noble and learned Friend will find registered his own judgments, judgments given by himself in the Court of Chancery, in cases of fraud by these trustees—of plain, downright, open misappropriation of funds devised for charitable purposes. My Lords, I can prove that this has gone on within the sacred territory of the London City Companies. I will give you a few instances. The Goldsmiths' Company, since 1491, have had a fund at their disposal out of which to grant loans to deserving young men. No loans have ever been granted. The rents have been applied to the uses of the company. Since 1491 divers other bequests have been made for similar purposes, but the company have got neglectful of all duties, with the exception of the duty they owe to themselves. They have neglected to appropriate the funds to the charitable purposes for which they were intended, though they have not neglected to take the funds themselves. An information was filed against them, but they got rid of it on a mere point of pleading. So it was with the Mercers' Company. There is in the books the decision of the Master of the Rolls, in the case of that company—that hospitable body to whom my noble and learned Friend alluded, and who acts on the principle that hospitality, like charity, ought to begin at home. An information was filed against them with reference to a charity which, since the great fire of London, has been allowed to fall into desuetude; and the Master of the Rolls compelled them to pay the costs. I hold in my hand the petition of the Mercers' Company, imploring your Lordships to throw out this Bill. The fact is that the company have had enough of the Master of the Rolls. They do not want any other master than their own master. Their transgressions are of no late day, for in the petition they presented to their Lordships' House, they set forth that since the great fire of London, in 1666, they "had regularly, zealously, habitually, diligently, and faithfully discharged their trust;" *id est*, they had regularly, zealously, habitually, diligently, and faithfully gone down to Greenwich, there to partake of breakfast, dinner, and supper. For the due performance of those duties, they prayed their Lordships' honourable House to reject the Bill. Before I dismiss this portion of my subject, I have one word to say with reference to the Corporation of Leicester. Several benefactions have from time to time been made, upon trust, to the Corporation of Leicester, which trusts have been faithfully executed for many years, and it was the habit of the trustees to hand the balance from time to time to their successors. After a period, however, they got tired of executing the trust in this humdrum fashion, and the balance was paid to the Town Clerk. In the year 1835, the balance amounted to 6,000*l.*, and that sum was lent by the Town Clerk to the Mayor, who paid interest for it, which interest the Town Clerk pocketed. Under such a state of things, it is by no means surprising that the Corporation of Leicester should implore your Lordships not to pass the present Bill. They do not want Commissioners—they are quite satisfied with the Masters in Chancery. They say, very naturally, "Don't inquire into our affairs—don't overhaul our accounts—don't enter into tiresome, tedious, and disgusting investigations about our guzzling and victualling—don't inquire into the little transactions that have passed between the Town Clerk and the Mayor, for it would be unjust and ungracious towards all parties, and do not, we implore of you, pass this Bill, because the adoption of it would give a vast amount of patronage to the great 'zeal.'" Of course they take care to say nothing of their own patronage, which they enjoy without any Act of Parliament—viz., the 6,000*l.*, which affords a kind of patronage of a much worse sort than any that the Bill can create. The Master of the Rolls in their case declared that he hardly ever heard of a grosser breach of trust; and with such facts before him, it is not to be wondered at that my noble and learned Friend should be so careful in avoiding the subject of abuses, and so anxious to pick his way delicately and cautiously through this miry case. My Lords, from the time of Sir S. Romilly downwards, it has been admitted that the Court of Chancery is, by reason of expenses, inaccessible to the smaller cases of charity. My noble and learned Friend understated his case, when he said that the utmost expense of an application to the Court of Chancery was 700*l.* There is a case in the books in which the expense of fighting a case of charity abuse for four or five years amounted to 2,000*l.* It is true

that that was the case of a charity which could afford to pay the costs, but the same expense would have been incurred if the abuse of the trust had been of a charity of not more than 100*l*. Of the great charities, of which I have cited some examples, the number of abuses reported on by the Commissioners is somewhere about 350; and if such is the state of these great charities upon which the light of day shines, and which stand exposed to the eyes of man, is not the conclusion irresistible, that in the smaller charities—which cannot bear the expense of a Chancery investigation, and which are therefore necessarily exempted from jurisdiction and control—a tenfold greater amount of abuses must prevail? My noble and learned Friend seemed to think that the great corporate charities I have referred to are to be included in the schedule proposed by my noble and learned Friend. No such thing. But he says you will except voluntary charities or charities partly voluntary, and if you do that you render the Bill useless. Now my Charity Commission had no power to inquire into the cases of such societies, and yet they found that there still remained something like 40,000 charities to be dealt with, possessing an income of a million and a quarter a year. But then my noble and learned Friend objects to take a Master in Chancery and make him a Commissioner. He says it would be better to leave the Masters as they are, and let them have a more extensive authority. But he forgets that we want a summary jurisdiction, and he forgets the matter of costs. He says, "Only let the parties go before a Master." "Only!" This is a very smooth and oily way of putting it, but in fact this going before a Master is a very expensive process. There is, first of all, a petition to the Chancellor, or, as is more generally the case, an information filed. Then a reference is directed to the Master, who hears the case in his own office, and treats it in every respect as an ordinary Chancery suit. Then comes warrant after warrant, and the parties not agreeing, exceptions are taken, and ultimately there is an argument on the exceptions before the Chancellor. The exceptions are, perhaps, allowed, and then the matter is remitted back to the Master, and everything proceeds as before. This is a Chancery suit and nothing more, and that is just what we want to avoid. In fact, beyond all dispute a summary jurisdiction in these cases is absolutely necessary, and we have now arrived at such a point that some remedy must be applied. The remedy must be summary, and it must be cheap; that is the long and short of the matter. All that my noble and learned Friend said in pulling this Bill to pieces, does not amount to the proposal of any remedy. He talked of the hardship of the production of documents, and of compelling parties to show their title. That was the whole substance of the cry against the inquiry of 1819. This Bill does not call for the production of any documents which could not have been called for by the Commissioners at any time during the last thirty years. My noble and learned Friend also objects to the clause to indemnify a person for the expense he may be put to in acting under the orders of the Commission. But is it not only fair that if a person incurs costs, or is subjected to an action for having acted in consequence of the orders of the Commissioners, that he should be saved from any loss or harm? But my noble and learned Friend talked of some remedy. He mentioned gingerly the subject of charity abuses, but he still said that they required some remedy. He says boldly that the remedy is easy. "You have only," says he, "to bring in an Act of Parliament abolishing the fees in the Master's office." Why, is my noble and learned Friend serious? Is he awake? The fees in the Master's office are, as he knows, the least part of the whole. There are hardly any fees in the Master's office. "The fees" are the fees of counsel, the fees of solicitors, the expense of bringing up witnesses from almost every corner of the country in reference to a charity of perhaps not more than 50*s*. a year; these are the fees, and these my noble and learned Friend has not regarded. One word, my Lords, before I conclude, respecting the Dissenters. It is said that this Bill may place the property of Dissenters under the control of Churchmen. I know a great deal of Dissenters, and although they are often very intolerant amongst themselves, I must do them the justice to say that I have seldom found them very hostile to the Church. But, my Lords, what is the state of things now? Why, the control over these charities is vested in the Court of Chancery. Why should that arrangement be so peculiarly satisfactory to Dissenters? The Lord Chancellor must necessarily be a Protestant, but the Master of the Rolls may be a Roman Catholic, and his interference in the management of dissenting

charities would surely in such an event be not less distasteful to them than the interference of a Commissioner of a different persuasion. My Lords, I am in perfect charity with all men—Whigs included—but I cannot for the life of me but think that the extraordinary opposition to this Bill has some peculiar cause. Speaking as a Whig—[*a laugh*]—oh! you need not laugh, for I was just going to show that you and not I must be considered the lapsarians. Speaking as a Whig, I beg to ask do you remember the controversy of 1818? Did you ever hear of the debates in Parliament on this very subject in the years of grace 1818 and 1819? Did you ever hear of a party measure, as completely a Whig measure as any that was ever brought in by that party—the Charity Bill of 1819, upon which you were banded as one man, with myself for your leader. Now, every one of the topics which have been heard to-night from my noble and learned Friends are to be found in the speeches of the Tory party to whom we were opposed on that occasion. I therefore am not a lapsarian, but a surviving disciple of that now extremely small school which daily becomes "small by degrees and beautifully less." On that occasion I had the satisfaction of defeating Lord Eldon, the legitimate predecessor of my noble and learned Friend, by a majority of two, and I carried my Bill. What then, I beg to inquire, is the cause of the Whigs voting against us to-night? Is it that others than Whigs are to oppose the Government upon the coming division? [The Duke of RICHMOND: Hear, hear!] Yes! I was prepared for that cheer. There are questions on which you cannot vote with the Whigs, but this is one on which they think that they can woo you over. The young people must be brought together: there must be a pleasant party made for them; and there can be no better opportunity of doing so than in a matter where there have already been so many pleasant parties down the river, to Greenwich and elsewhere. This is the occasion you take of wooing your richly endowed bride: so the Bill is to be flung overboard that you may go hand in hand. But, my Lords, I call on you to beware! I do not say this is a trap, a pitfall, a stratagem; it is only a little attempt to hurt the Government, to mortify the Chancellor, (though, God knows! he of all men has least cause to care about such petty mortifications,) to damage the Prime Minister without turning him out ["No no!" *from some of the back benches.*] Oh! no! no! no! Of course not: I well understand all that—to damage him without turning him out, in order eventually to make way for others who will only carry out his views. But don't suppose that he will go out on account of this! He knows his duty too well. Let me entreat you, therefore, seriously to consider before you unite on such grounds to defeat this useful measure. It is a Bill of grave importance. The character of the Government and of parties in this House is deeply implicated in your giving a favourable consideration to it to-night. You do not deny the abuse—you do not say the measure is not required—you do not say that it is not a measure wished for and called out for by the country; and, therefore, affirming its principle, the course which you ought to take is fairly, candidly, conscientiously, and honestly to go into Committee, in order that you may there examine its details, examine the exceptions and alterations which my noble and learned Friend will propose to make in it—for you don't know the Bill yet—to see if you can mend it, and only if you cannot to refuse it your ultimate sanction. Gravely, seriously, and anxiously, I therefore pray your Lordships to support the second reading.

The EARL of ELDON: I really think it essential, my Lords, that I should make some observations as to this Bill, and as to the circumstances under which I am inclined to vote for the Amendment of the noble and learned Lord opposite—that the Bill be read a second time this day six months. My Lords, the noble and learned Lord who spoke last talked of "motives," in which he says the opposition to this Bill originates. It originates in no such motives as he describes. I hope that noble Lords on the cross benches will oppose it; and I am sure that if they do so they will oppose it, as I do, upon its merits. But if the noble Lord meant to attribute to us that we should vote against it from such motives as he described—

LORD BROUGHAM: I said no such thing. I said that they wanted to get your vote: that was what I said.

The EARL of ELDON: I am in the hands of the House; and the House well understood what the noble and learned Lord said. I am sorry that the noble and learned Lord should have thought it necessary to use such language, instead of addressing himself, as he should have done, to the merits of the Bill. My Lords, the debate has not turned upon those merits; let me re-

call your Lordships' attention to them. When this debate was postponed before Easter, it was the object of those who sought its postponement, to secure the introduction of certain modifications into the Bill during the recess. I remember that I said at that time that if no modification were introduced, I should certainly vote against it. Certain modifications have been made with a view to tempt your Lordships to support the measure; but I, for one, must say that I am not satisfied, and that I shall not give my vote in favour of proceeding with it. My Lords, I do not deny that there are abuses under the present system of administering Charitable Trusts, both great and small. I do not deny that the question as to the mode in which those abuses should be remedied is one deserving your most serious consideration. I take up this Bill, believing it is most desirable to view the matter in that light; but when I inspect the Bill, I must also declare that I believe it is in no degree calculated to remedy the abuse that is complained of. I believe the charity would be greatly diminished by its operation; and nothing that has been said in favour of the measure has met the objection. The City Companies say that they are sure of it. Some of those companies have contributed largely to their charity estates from the funds at their own disposal. It has been said to-night that certain of those companies have been guilty of abusing the trusts reposed in them; but there are many at any rate against whom no such charge has been brought, and yet all are to be taxed though a few only require control. Look at the Merchant Tailors' Company for which I had the honour to present a petition to your Lordships against this Bill. No charge is made against that company, and yet by this Bill you will tax them 100*l.* in respect of each of their charitable estates to defray the cost of managing other charities that may be subject to abuse. My Lords, the other night I presented to you a petition from the Trinity Board at Hull. That board administers a fund of 26,000*l.* a year. The trustees are chosen by a popular mode of election. Their accounts are published—they are even published in the newspapers. No complaint has been made against the management; so far from it, resolutions of thanks to the trustees have been unanimously agreed to, and their excellent management has been attested by the signatures of 2,000 of the seamen of the port, who have felt the beneficial effects of their good management. Now, my Lords, I complain that such a charity should be subjected to the inquisition of a secret tribunal, instead of having the advantages of that publicity which would be given to it by a Court of Chancery. I complain also that the mode of proceeding with respect to the deeds of charities may lead to a disturbance of titles, whilst an exposure of the persons who are the objects of charity will, in many instances, lead to a defeat of the intentions of the founder. My Lords, no one objects to the cheap management of charities; if the object of the Amendment had been to defeat any measure that would secure the cheap management of charities, I certainly should not support it. I should be glad also to find that every publicity was given to the accounts of charity estates; but I do say again, that I object to the taxation of those estates, as proposed under this Bill, for the payment of a body of Commissioners who are to look after their administration. Surely, my Lords, a country so rich as this can well afford to pay for the management of its charities out of its public revenue. And here, my Lords, allow me to ask, whilst speaking of the Commissioners, for what reason is special mention made in this Bill of the eligibility of a "Chief Justice of Bengal?" Is a Chief Justice of Bengal more peculiarly suited for the administration of Charity Trusts than any other judge, Indian or English? My Lords, I am sure that the constitution of such a tribunal, even though a Chief Justice of Bengal was a Commissioner, would have the worst effects on charities. It would deter people from leaving money for charitable purposes by leading them to believe that their purposes would never be carried out as they desired, and that their money would be taxed for the support of a Government tribunal. Neither will gentlemen consent to act as trustees if they know the extent of the responsibility which they will incur, and the sort of tribunal to which, if this Bill passes, they will all be subject. It has been said, my Lord, that the late Lord Eldon declared, "That he had viewed with great horror the administration of several of the charities, which in some cases amounted to an actual breach of trust." I have no doubt that my late noble relative has been correctly quoted; but because he viewed abuse with horror, it does not follow that he would have given his assent to such a Bill as the present. It would have been his

object, my Lords, to have checked that abuse, by the exercise of the power which he held as Lord Chancellor of England, not by taxing those who did their duty well, or by creating such an irresponsible tribunal as that which your Lordships are now called upon to give birth to.

LORD CAMPBELL: I am desirous, my Lords, to address a few words to your Lordships, because I have been taunted with inconsistency by my noble and learned Friend who is at this moment sitting on the edge of the Woolsack. The noble and learned Lord, declaring himself a Whig, has made an appeal from the old Whigs to himself, as the only consistent member of that once great and flourishing party. He complains that all his old associates have deserted him—that he is left a solitary monument of political consistency and wisdom. My Lords, I shall certainly abstain from entering into the subject of my noble and learned Friend's consistency. I remember that a Session or two ago he said he could almost promise he would give me an opportunity of taking that issue; and I expected that he would accordingly have moved a resolution, "That it is the opinion of this House that Henry, Lord Brougham and Vaux, has always been a consistent politician." But, my Lords, two years have elapsed, and no such resolution has been moved, no such notice has been given; and I now find that it is enough for me to defend my own consistency respecting this Bill, for my noble and learned Friend would have your Lordships suppose that we had first approved of it, and then vented our anathemas against it; that we had attacked the Bill until things assumed a new aspect, and that then "luffing up to the breeze" we condemned the measure which we had formerly applauded. Now, my Lords, I have always been most anxious to expose and remedy the abuses of charities; but I never admitted that the measure of my noble and learned Friend on the Woolsack would have that effect, and I have therefore always been most strenuously opposed to it. I voted against it when we were in a slender minority; I oppose it now when we have every hope of success. My noble and learned Friend on the edge of the Woolsack, tells you, that in the last Session of Parliament the Bill was passed *nemine contradicente*. It passed this House without a division, it is true; but why did it not pass the other House of Parliament? My noble and learned Friend who affects to be so deeply in the secrets of the Government, so deeply, that he has told us to-night that they do not intend to resign; even he was unable to give any satisfactory account of this very extraordinary and anomalous occurrence. He tells us that "both himself and the Lord Chancellor" were struck by the fact that the Bill should have been included in the general massacre. I must acknowledge that I feel with my noble and learned Friend much surprised that the Government should thus have dealt with their own offspring. The Prime Minister really might have communicated with his noble and learned Colleague—he really might have consulted my noble and learned Friend (Lord Brougham) before he struck the final blow. But it seems that he had not so high an opinion of the Bill as my noble and learned Friend. Possibly, when the Bill came down, he had altered his views upon this as he has done upon so many other measures. I pity, therefore, my noble and learned Friend. I am sure that I only do him justice when I say that his desire is to do good. If the extensive patronage given by this Bill had been forced upon him, I am sure he would not have had it. He would relinquish it in accordance with that constitutional doctrine laid down by my noble and learned Friend who sits so near him, that no Government which has not an actual majority in the House of Commons can appoint to a judicial office. My noble and learned Friend declares that it would be an "atrocity" to do so. My noble and learned Friend on the Woolsack would, I am sure, never act so "atrociously." If, as my noble and learned Friend has laid it down, it would have been "an atrocity" for the Whigs to have made appointments when they had a majority minus one, it would indeed be "an atrocity" in the present Government to make appointments until their 112 supporters are swelled somewhat nearer to the number of 400. I fear, my Lords, that the charities will remain a long time with their abuses uncorrected if we wait until the consummation is arrived at. My Lords, my great objection to this Bill is that which creates such unmingled consternation and alarm—the power which it gives of centralizing, in a manner wholly unprecedented and unexampled, the management of charitable trusts. People are absolutely to be deprived, under its provisions, of the management of their own affairs. There is to be a meddling and an intermeddling

which, to say the least, is extremely pernicious. Talk of the Poor Law—why, under the Poor Law the parties who are interested in its administration elect their own officers; but under this Bill all the officers are to be nominated by a Commissioner. These three irresponsible Commissioners are to constitute new trustees, and to dismiss old ones at their will and pleasure; in fact, they are to make that which is now done throughout England by those in the locality a matter of governmental interference. My Lords, this has raised great alarm. More petitions than for a very long time I have known to be presented upon any one subject have been laid upon your Lordships' Table against this Bill. But, says my noble and learned Friend, this is the result of "a combination." Nothing, my Lords, can be more true. It is "a combination." It is a combination of Churchmen and Dissenters, of Roman Catholics and Unitarians, of persons of all religious persuasions, purely for the purpose of defeating this one measure. "Oh! but," says my noble and learned Friend, "all these petitions are from fraudulent trustees." Now, this very day a petition has been presented to your Lordships against this Bill from the Society for the promotion of Christian Knowledge, of which society, I believe, every right rev. Prelate on the bench opposite is a member. Does my noble and learned Friend, then, include all the bishops in his description? Does he mean to say that they are among the fraudulent trustees who have joined the "combination?" My Lords, I do not wonder that the right rev. Prelates are opposed to this Bill. A clause was introduced into it by the Bishop of London, directing that all trustees of a purely Church of England charity should make a declaration that they were Churchmen. Nothing could be more proper; but the evil the right rev. Prelate sought to guard against still exists in respect of the Commissioners—the great governing body—themselves. You may have for Commissioners Roman Catholics or Dissenters appointing trustees over Church of England charities, or over other charities to which they are in principle opposed. My noble and learned Friend who opened this debate, confined himself almost entirely to the case of the smaller charities. Now I admit that in respect of some of these charities things ought not to remain as they are. It is a reproach to the law of this country that some of the abuses that exist should be permitted to continue. But, my Lords, the remedy that I would find for this grievance is not the appointment of such a Commission as this. I believe the best remedy would be found in the reform of the regular tribunals of the country: I believe that the best power over charities exists in the Lord Chancellor himself. My noble and learned Friend beside me (Lord Cottenham) is allowed upon all hands to have administered equity to the perfect satisfaction of everybody. He knew where the Court of Chancery was perfect and where it was deficient; and he declared that the Court of Chancery was the best tribunal to which application could be made for the correction of abuses in Charitable Trusts. No doubt, my Lords, it is an admirable tribunal: there is a careful investigation, a patient hearing, and justice is administered. The only objection to it is the cost of litigation. I admit that evil; but I say that the obvious remedy is to diminish that cost. You say the Court of Chancery cannot be approached in the cases of small estates. Then I reply that it is a reproach to the judicature of this country that that should be the case. Remember, the evil is no greater in this respect, as it affects charities, than as it affects individuals. If a person has a legacy of 50*l.*, to recover it by a bill in equity would lead to a certain loss of a larger sum. The proper remedy, then, is to allow justice to be more cheaply administered. You ought so to reform the abuses of the Court of Chancery that justice may be done. It was said by Jeremy Bentham, and I know it is said by all who follow that school, that it is the duty of the State to furnish gratuitous courts of justice of every description. That may or may not be good argument; but what do you do in this country? Why, instead of affording the courts of justice gratuitously, you make the suitors of the court pay enormously, sometimes to the public revenue, and sometimes for private charges. There are various offices in this country—some of them in the gift of the Crown, some of them sold by the Judges—that are paid by fees, and those fees are laid upon the suitor. In the Court of Chancery, although the "Six Clerks" are abolished, there is an immense sum that will be levied upon suitors for one or two generations, for the purpose of indemnifying those whose offices have been abolished. My Lords, the clear remedy is, to allow justice to be cheaply administered to those who are entitled to it. But, even if

you were to have some new tribunal to be confined entirely to exercising a legal jurisdiction over these small charities, is the tribunal chalked out by this Bill the one that you would select? My Lords, this Bill prescribes a tribunal for a totally different purpose; for this Commission is to take under its control all the charities in England; it is to superintend the whole, great and small, lay and ecclesiastical, and to require triennial returns with regard to every charity throughout the length and breadth of the land. If you are to have so much work to be done, this machinery might be necessary; but if you are to confine the remedy to charities under 100*l.* a year, the machinery which this Bill provides is wholly unnecessary. There are three Commissioners, two inspectors, and I don't know how many clerks and other functionaries; when one single Commissioner, appointed by the Lord Chancellor, with power to supervise the charities of small amount, would be amply sufficient to do all that by this tribunal you seek to do. Then, my Lords, the principle of this Bill is to interfere with every charity in England, to require that accounts shall be rendered by every set of trustees who have the management of a fund that is applicable to a public purpose; for that, as my noble and learned Friend has truly informed your Lordships, is the proper definition of a charity. There are about 50,000 bodies of trustees; they are all to be subjected to the jurisdiction of this new Commission. They are to send in their accounts; they may all be examined upon oath; and the manner in which this is to be done will be most hurtful to their feelings, and may be most prejudicial to the interests of the charity. I believe, with the noble Earl who last addressed the House, that the Bill would be destructive to many charities; inasmuch as those who now devote their days and their nights to the care of those institutions, without fee or reward, or the hope of patronage, or anything except an anxious wish to discharge their duty and to be of service to their fellow-creatures, would all shrink from the performance of such a duty if it were to be attended with such consequences. Then, my Lords, the noble Earl who spoke last has pointed out to your Lordships the extreme injustice of taxing a charity that is perfectly well administered, that wants no supervision, where there is no abuse, where everything is pure and everything intelligible. That part of the Bill is most injurious, and I do not wonder at the vast number of petitions which have on that account been presented against it. With regard to the municipal corporations, I think the objection is, if possible, still stronger. My Lords, this is a subject that has had its importance for years past. I remember an open conference on the subject between the two Houses of Parliament, when I heard a speech of great ability from the noble Earl now the First Lord of the Admiralty upon that subject. There is no doubt that political influence, in many boroughs in England, depends mainly on the appointment of charity trustees. Well, then, in whom is their appointment to be vested? In the nominees of the Lord Chancellor! This is what I did at first most strenuously object to, and it is what I now object to with equal strenuousness. My noble and learned Friend allows that, as the Bill was originally framed, the trustees that are already appointed might be swamped, because the number of new trustees that might be appointed is entirely indefinite. He now, as a slight concession, consents that the number originally appointed shall never be exceeded. That in a very small degree removes the objections which I urged. My Lords, for these reasons, I do trust that there will be a very strong feeling in this House against the second reading of the Bill. Why should you read the Bill a second time? My noble and learned Friend put it off on a former occasion, because he wished to consider whether some alterations might not be made in it. Would your Lordships pass the Bill as it is now presented to you? "But," said my noble and learned Friend, "I mean to make an Amendment;" and the only Amendment he has hinted at is that he will except from the operation of the Bill certain bodies who have petitioned. If he were to except all who have petitioned, I believe he would render the Bill a dead letter; for I believe all have petitioned who are to come under the operations of the Bill. If that be the case, he should introduce into the Bill these words, "And be it hereby enacted, that no individual, or charity, or trustee, or corporation who have petitioned against this Bill shall be subjected to its operation." Would it be consistent with the dignity of Parliament that a Bill should be passed which the author of it allows to be a dead letter? My Lords, I strongly advise you to reject this Bill. Your rejection of it will not, in the slightest degree, interfere with my

noble Friend's exertions to correct abuses, by his great ability to reform abuses in the Court of Chancery, and to render justice cheap and expeditious; and if there are some charities that, from their small amount, cannot possibly be brought under the jurisdiction of that Court, let him bring in a Bill for appointing one Commissioner, who may inspect those charities, who may correct abuses, and who may do what the cause of justice requires. But do not let us read a second time a Bill which the author of it cannot defend, of which he cannot tell what will be its operation, and the defects in which he cannot show us any tangible way to remedy.

The BISHOP OF SALISBURY: Having listened to all the arguments which the noble and learned Lord has just adduced, in addition to those which the learning and ingenuity of another noble and learned Lord have brought forward, I am not able to remember any which, giving to this subject my most careful and impartial attention, have appeared to me of sufficient weight to prevent my doing that which it is my purpose to do, namely, to give my vote in favour of the second reading of this most important measure. My Lords, I should not, in any case have entered into the details of this Bill; and especially I shall not, at this late hour of the night, attempt to occupy your Lordships' attention more than a very few minutes, in stating the reasons why, in spite of all the arguments that I have heard to the contrary, it still seems to me an imperative duty imposed upon me to give my vote in favour of the second reading of this Bill. My Lords, I do so because there is a great and acknowledged abuse, for which it is attempted by this Bill to provide an adequate remedy. Except in some such mode as that which is proposed by the Bill, I confess I do not see any hope held out of this enormous abuse being in any degree whatever remedied. My Lords, the abuse which it is attempted by this Bill to remedy presses more particularly on my mind, because it is an abuse of sacred and charitable trusts, trusts in which the poor of this country are essentially interested. My Lords, wherever the abuses may be, if there be a non-appropriation of the funds, whoever may be the gainers, the poor are they who suffer; and if a remedy be sought through the expensive processes of the Court of Chancery, the parties contesting as trustees may be great landed proprietors, and by the carrying on of expensive suits in that Court, still the poor are they who suffer. Great, multifarious, and enormous as are the abuses which the noble and learned Lord on the Woolsack introduced to the notice of your Lordships, unless some such measure as this be adopted, I see no hope of remedy. The noble and learned Lord who has just addressed your Lordships, has, indeed, pointed out what he considers a remedy for this state of things, what he describes as a plain, simple, and easy remedy. He says the whole evil is, in what? Why, nothing else than the expensive nature of suits in Chancery. Therefore, he says, the plain remedy is to reform the Court of Chancery. My Lords, I entirely agree with the noble and learned Lord, that that is the plain remedy, and that that remedy might be safely and satisfactorily applied. But I take the liberty of asking that noble and learned Lord, if that remedy is so plain and easy, why, during the long years that these abuses have existed, it has not been applied? To whom, have we a right to look for a remedy of that kind if not at the hands of the noble and learned Lord? He has now been in this House for many years; he has been actively engaged; his attention has been given to all matters of this kind, and especially to matters connected with the administration of the law; and I have yet to learn that even the talents, the learning, and the ingenuity of the noble and learned Lord, will enable him to bring into this House a Bill for remedying the abuse of the Courts of Chancery, which will do away with expense, and delay, and vexation, and will make any measure of the kind now before your Lordships altogether useless. My Lords, it is notorious that there is no hope or chance of any measure of this kind. I myself, my Lords, was a Member of a Committee of your Lordships' House some six years ago, which sat upon another Bill immediately connected with this—the Grammar School Bill; and there is one ground upon which alone this Bill commends itself to my attention, namely, that a very large proportion of these Charitable Trusts are connected with the education of the poor. My Lords, there are throughout this country, in all our borough towns, in all our villages, innumerable charities devoted to the education of the poor, which are now in many cases wholly inoperative; and the only hope of their being resuscitated, and of giving effect to that most important part of our social policy, namely, the imparting of education

to the lower orders of the people, consists in the application of such machinery as that which is devised in this Bill. That Bill to which I have referred, and of the Committee upon which I was a Member, came up from the House of Commons containing clauses having for their object the providing of a more speedy and efficient remedy for abuses of that kind. I do not exactly remember by what machinery it effected this; but the only principle in this Bill which I consider to justify my voting for the second reading is, that it provides a cheap and summary jurisdiction in the case of educational charities. Now, my Lords, certain clauses were struck out of the Bill to which I have referred, in consequence of a hope being held out by a noble and learned Lord, whom I do not now see in his place, that there would immediately be such a reform of the processes of the Court of Chancery, such cheap, expeditious, and easy processes introduced, that we might very safely dispense with any clauses of that kind; and that all that was required would be carried into effect more securely, and with equal facility, by the reform of the Court of Chancery. My Lords, six years have passed away, and I have not heard that any such reform of the Court of Chancery has taken place. And as regards these charities, what is the case? Why, the grammar school bill is altogether inoperative. Therefore, my Lords, seeing no hope in any other quarter, I intend, in spite of all the grave and weighty objections which have been urged against this Bill, to vote for the second reading. I do not say this, my Lords, as approving of all its provisions; very far from it. I came down to the House in very great doubt whether I should vote even for the second reading of the Bill; and had it not been for the speech of the noble and learned Lord in introducing it, I should certainly have voted against the second reading. In doing so, I do not think I shall be guilty of that simplicity which a noble and learned Lord said those would be guilty of who were led away with the vain and uncertain hope of amendments. I trust that that is not a vain and fallacious hope; for, if the noble and learned Lords will exercise in Committee that ingenuity which they have shown in debate—if they manifest that acquaintance with details, and that skill in raising objections, which they have displayed on the second reading, to which such objections do not appear strictly to belong, I think it would be unjust to the noble and learned Lords themselves, as well as to your Lordships' House, to conclude that the real objections to the Bill cannot be obviated. I shall not detain your Lordships longer; but I do trust that we shall not have the only hope which I have seen of the reform of this great and acknowledged abuse frustrated or cut off, without, at least, an attempt being made in a Committee of your Lordships' House to bring the Bill into that state in which it may be the means of carrying into effect that which I am sure your Lordships desire equally with myself, namely, the reform of the great abuses prevailing in the administration of charities.

Lord ABINGER: I own, my Lords, that some of the objections urged against this Bill by trustees, constitute the very reasons why I think such a Bill is acceptable. If anybody will compare the state of a trustee before the passing of this Bill with the state in which he will be placed after it has become law, I venture to say that he will find that a person acting properly will be more secure under this Bill than he is at present under the jurisdiction of the Court of Chancery. For what may happen at present? Any person who chooses to do so, may file a Bill with the consent of the Attorney General, and that consent is usually granted on being applied for. I happen to know that a certain gentleman, an attorney, threatened almost all the charities in England with the filing of a Bill. He wrote to them all, desiring that they would give an account of the administration of their charities; and stated that unless the account were rendered, and a considerable sum sent for the costs of the application, proceedings would be taken. I remember in that case there was an interference to prevent the filing of the Bills; but all charity trustees are placed in similar danger. Why it should be supposed that individuals of high character and great discretion should, under this Bill, commence a vexatious interference with charities, I cannot tell. My Lords, I cannot join in the opposition which is made to this Bill—I should not be acting consistently with the dictates of my conscience, if I did not vote for the second reading.

Lord WROTTESLEY: My Lords, I am anxious to avail myself of this opportunity of addressing your Lordships on this Bill. It is not often that I have ventured to intrude any observations of mine on your Lordships' attention. I have listened

with some attention to the arguments adduced by the opponents of this measure, and I cannot perceive that the grounds upon which its necessity has been based, have been successfully impugned. Those grounds are, first, that the interference of some competent tribunal is continually necessary to regulate public charities, and control their administration; and secondly, that to appeal to the only tribunal that has any jurisdiction in this matter, in the case of the smaller charities, is a practical absurdity. Your Lordships cannot surely imagine that the causes of interference are few in number; it is not so; they are numerous; but however numerous they may be, I can assure you, that the number of applications that is now addressed to the Courts of Equity for these purposes, is no measure at all of the number of applications that would be addressed to a competent economical tribunal of the kind sought to be established by this Bill. I hope I shall not be accused of wearying your Lordships, if I detail some of those causes of interference. And first, there may be a want of trustees; that is, of persons legally authorized to manage the charity, and adminster its funds. Sometimes the donor appoints none; sometimes he appoints distributors of the funds only, and neglects to vest the property in them; sometimes he appoints trustees, properly so called, but omits to make any provision for their renewal; but more frequently owing to negligence, or the want of adequate funds, they are not renewed within the time limited for that purpose by the terms of the instrument of foundation. In these cases, the charity is usually administered by the minister and churchwardens of the parish; but as they have no legal right to interfere, the tenants and officers of the charities frequently set their authority at defiance, refuse to pay rents, or deliver up property in their possession, and charity property is often seized upon by the descendants of tenants and officers, and even by alms-people and their families. Again, owners of estates out of which annual sums issue, payable to charities, technically called rent-charges, withhold them on the ground that these *de facto* administrators can neither make a legal demand, nor give a legal discharge for the money when paid. Now, we will suppose that the administrators for the time being, driven to extremities by some of these manifold inconveniences, resolve to apply to the Court of Chancery regardless of the expense. I will not weary your Lordships by describing in detail the process employed by the Court for effecting this object; it often involves an inquiry as to who was the survivor of some ten or twenty gentlemen named as trustees, perhaps 200 years ago. Now, this is not a very easy matter to ascertain, as your Lordships may well believe; but it is still more difficult to trace the heir at law of such survivor; it is not very easy sometimes to discover the heir at law of a gentleman who died yesterday; think, therefore, what must be the difficulty of tracing the heir at law of one who died 200 years ago. Yet the Court takes upon itself the attempt to ascertain these facts; and they are accordingly investigated at a great expense in the Master's office. But suppose the most favourable case, that trustees exist, properly so called; yet, however desirous they may be to manage the charity, and administer its funds, in the manner most conducive to the interests of its objects, they often find they have not the power so to do, without applying to the Courts of Equity, or to Parliament; they cannot, for example, grant building or mining leases. A charity, in which I am myself a trustee, lately had to expend a sum of about 600*l.* in obtaining an Act of Parliament to sanction the granting of mining leases. Neither can they sell without such application. It may seem strange to your Lordships, that it should ever be necessary to sell charity property; but it happens in a variety of ways—sometimes the land is surrounded by that of some wealthy proprietor, who would give double or treble its value to be allowed to buy; and in that case of course the trustees are anxious to sell, and it is often expedient that they should do so. Again, there are a great many cottages that were left by their donors for the residence of paupers rent free, but they either gave no funds, or not sufficient funds for their repair. Before the passing of the Poor Law Amendment Act, these cottages were inhabited by paupers placed there by the parish officers, who sometimes paid rent for the cottages which were distributed in charity; but, at all events, kept them in repair. Now, they have no funds which they can apply to these purposes, the paupers have been transferred to the workhouse, and the cottages have become dilapidated and untenanted; and that is the most favourable case, for sometimes they are inhabited by beggars and thieves, and are a perfect pest and nuisance to the localities in which they

are situate, the authorities of which have been long looking forward to the enactment of a measure of this kind, which would give authority for their sale, and the application of the proceeds to some useful charitable object. Again, if the fund has increased beyond the requirements of the trust, they cannot dispose of the surplus income without applying to the Court for what is called a scheme, that is, a plan for its disposal. Again, trustees and officers may misconduct themselves, or they may become incapable through age, or other infirmity, of performing the duties of their office properly. There is another point, which has not been overlooked, and very properly so, in this Bill. The law allows to the founders of charities the utmost liberty in framing the trusts of their endowments, in settling the terms and conditions on which their bounty shall be bestowed; it is not extraordinary, therefore, that some of these donors, abusing this privilege, as it were, of private legislation, sometimes enjoin that which is injurious to the objects of their trusts, sometimes that which is absurd and impracticable, sometimes that which is little suited to a modern state of society and manners, and sometimes that which is contrary to public policy. It may be thought that liberty should cease at that point where injury to society begins, according to a well established social maxim, that no one shall be allowed to do that which is injurious to the community of which he is a member; but this Bill does not go so far as this, it merely authorizes the Commissioners to apply the funds where they *cannot* be appropriated according to the original intention of the founder, leaving it to the Legislature to deal with injurious charities as it shall think fit. My noble and learned Friend says, why not adhere to the doctrine of *cy-pres?* That alteration may be made in Committee if your Lordships think fit; but I would observe, that in carrying out this doctrine of *cy-pres*, the Court is often obliged to exercise a very wide discretion —there is often not much analogy between the application directed, and the original intention of the donor—for instance, there is not much analogy between redeeming Barbary captives from slavery, and educating emancipated apprentices in the Colonies; though of course I do not doubt the abstract utility of this application. I now proceed to the second head; that it is a practical absurdity to appeal to the Court of Chancery in the case of the smaller charities. My Lords, it is the grossest of all absurdities, and my noble and learned Friend seems to admit this, when he says, that the grievance is not peculiar to charities, but extends to all small properties under litigation in the Court of Chancery. My Lords, undoubtedly it does, and a great abuse and grievance it is; in these cases, as well as in the case of the smaller charities, there is an absolute denial of justice; but is that any argument against this Bill? Are we to refuse to redress a great and notorious public grievance, because a kindred grievance remains unredressed? The truth is, my Lords, the machinery and processes of the Court of Chancery are far too ponderous, far too cumbrous, to be applied to these small matters; one might as well employ a steam-engine to pick up a pin, or the noble and learned Lord on the Woolsack might as well insist upon having a railroad laid down in the new Houses of Parliament to convey himself and the Seals backwards and forwards from the Woolsack to the Bar, and from the Bar to the Woolsack. I now proceed to illustrate shortly the evils which result to the smaller charities from Chancery interference; and the first case I shall mention is Popham's Charity, the income of which is 21*l.*; in that case, there was a suit for appointing trustees, yet at the time of the Commissioners' inquiry the object of the suit had not been attained, and yet more than 120*l.* had been spent. In Saunders' Charity, there was a suit to recover the arrears of a rent-charge of 10*l.* The arrears were 380*l.*, but the cost of their recovery amounted to 360*l.*; so that only 20*l.* remained. Again, in the Bushbury Grammar School, the income of which is 98*l.*, there was a suit for appointing trustees, for an account, and for removing the master. The suit lasted for twenty-three years; for twelve years there was no school, and the charity houses were in ruins, and the costs were 1,171*l.* Again, in the Hayward Charities: in 1831, the master of the school received notice to quit the school premises; he disregarded that notice, and he disregarded three successive notices to quit. The trustees then, very unadvisedly, certainly—but some allowance must be made for trustees, on whom part of the responsibility for the good conduct of a school devolves—the trustees very unadvisedly proceeded to eject him by force. For this he brought an action; a second action was brought by his wife,

a third by his son, and a fourth by his daughter, in all four actions, for assaults committed on the expulsion. In 1832, the master was restored on petition; and on the hearing of the petition, no less than ninety-nine affidavits were read. Besides these proceedings, there were some in the Exchequer, and a costly Commission to examine witnesses in the country. The costs of one side only exceeded 1,300*l.*, and three of the trustees were reduced to ruin and their property sold. But perhaps it will be said, what matters it if twenty years' income of a charity be expended in costs, if, after all, justice be done? Better costly justice than cheap injustice. But, my Lords, are we reduced to this alternative? What right have the opponents of this Bill to assume that these Commissioners will perpetrate injustice? Who are they to be? Vice Chancellors and Masters in Chancery—the very persons through whose agency the court now performs the great majority of its functions. I suppose it will not be contended that the mere act of making a Vice Chancellor or Master in Chancery a Commissioner, will at once deprive him of all his legal learning, experience, and integrity. On what ground, then, can he be incompetent to these duties, except on this, that there is something inherent in the jurisdiction itself which renders it impossible to discharge the duties in a satisfactory manner? Let us, then, contrast for a moment the two jurisdictions; and here we must distinguish between the judicial and ministerial acts of the Court of Chancery. It is under the latter that trustees are appointed, leases sanctioned, and most of those acts performed to which I have already adverted. Now as to a decision of the Court of Chancery in its judicial capacity: after hearing counsel on both sides, I will only say, that I hope that it will always command that respect to which it is justly entitled; but the Commissioners have in strictness no judicial authority. Theirs is a domestic tribunal; they have no authority as against strangers and third persons, their power extends only to trustees and officers; yet even here a candid opponent would admit that the Commissioners have one advantage, that they obtain their facts from oral testimony, and not by affidavits and answers to written interrogatories, which certainly cannot be described as the best contrivance for eliciting truth, which the wit of man ever devised. Then as to the ministerial acts of the Court, by whom are they performed? By the Master in Chancery. Now these Masters are able, experienced and learned in the law, and well qualified to perform the duties to which they are appointed; but under the system of the Court they are mere passive agents, they are guided in their opinion as to the particular scheme before them, chiefly by the evidence of its promoter, and by the affidavit of some deponent, selected by him, of whose character and qualifications they have no means of judging. Now I would ask your Lordships, whether this be a better system than that proposed to be established by this Bill? under which these Commissioners will have power to send inspectors to the spot to make local inquiries, to employ engineers, and other competent persons, and will not be justified in giving their sanction to any measure, until its whole bearings have been thoroughly sifted and probed. My Lords, I am aware that I have already more than sufficiently occupied your Lordships' time, and I am unwilling to trespass further at this late hour of the night, but before I conclude I should be glad to say a few words as to the opposition to this Bill. And now as to these trustees—I cannot understand their objections to the publication of their receipts and expenditure; one would think that, firm in conscious integrity, they would rather court than shun inquiry; at the same time, I will not be tempted to show from the Reports of the late Commission, how many good and sufficient reasons, some of these parties have for wishing to be exempted from the operation of this Bill. When I saw so many of these City Companies in the ranks of opposition, I was at first greatly surprised, knowing as I do, what vast sums of money have been expended by these Companies in objects connected with their charities, in obtaining Acts of Parliament to sanction building leases, and so forth, and in protracted litigation in reference to the endowments of which they are the trustees—the greatest part of which would have been saved, had this Bill been the law of the land; but my surprise ceased on being informed that these monies did not come out of the coffers of the Companies, but out of the funds of the charities, in other words, out of the pockets of their poor recipients. I say it with great deference to the distinguished authorities near me, but I cannot but think, that the Court of Chancery is far too indulgent in allowing costs out of charity estates: one consequence of this is, that

parties are induced to institute suits with a view rather to the obtaining of their own costs, than the real benefit of the charity in respect of which they are instituted; and I know a case in which two charities, which had been misapplied for some years by one of these Companies (in ignorance it is but charitable to conclude, but still misapplied) were doomed to pay 2,700*l.* out of their funds to defray the costs of the proceedings which became necessary to correct this abuse. For these reasons, and many others, too long to detail, I hope that your Lordships will give a second reading to this Bill; if you think the power of the Commissioners too great, curtail them in Committee; if you disapprove of the mode in which the expenses of the measure are to be provided for (and I certainly do not approve of it) alter it, but do not reject a measure, to the enactment of which many of the clergy and Charitable Trustees in the country are anxiously looking forward; at least, if I may judge by the number of inquiries, which used to be made at the office of the late Commissioner, as to when a measure of this kind would be brought forward; and I may appeal to all sincere and zealous law reformers, not to oppose a Bill, which may be described as the most praiseworthy and spirited attempt, which has ever yet been made to mitigate the evils of Chancery delays and costs. And now, in conclusion, I have only to thank your Lordships for the kind condescension with which you have listened to the observations which I have deemed it my duty to adduce.

The Question was then put that the Bill be read a second time:—Contents 40; Non-contents 42: Majority 2.

House adjourned.

HOUSE OF COMMONS,

Monday, May 18, 1846.

MINUTES.] PUBLIC BILLS.—1°. Death by Accidents Compensation.

2°. Viscount Hardinge's Annuity (No. 2).

Reported. Customs Duties.

PETITIONS PRESENTED. By Mr. O'Connell, from an immense number of places, for the Immediate Release of William Smith O'Brien, Esq.—By Mr. Duncan, from Ministers and Elders of the Free Church Presbytery of Dundee, and by Mr. Ewart, from Members and Adherents of the Free Church Congregation in the Parish of Dunscore, complaining of Refusal to grant Sites for Free Churches in Scotland.—By Sir Robert Harry Inglis, from Friends of Morality and Religion residing in Hadnall and Grinshill, and by Mr. Rashleigh, from Inhabitants of Padstow and Fowey, for the Adoption of Measures for promoting the Due Observance of the Lord's Day.—By Mr. Bulkeley Hughes, and Colonel Wood, from an immense number of places, against the Union of St. Asaph and Bangor, but providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Mr. Thomas Duncombe, from Pawnbrokers and Silversmiths of London, for Reduction of Duty on Foreign Watches.—By Mr. Hume, from Shipowners of the Port of Middlesbrough, praying that all Expenses for the Erection and Maintenance of Lighthouses, Beacons, and Floating Buoys on the Coasts of the United Kingdom, should henceforth be defrayed out of the Public Revenue.—By Mr. Deedes, from Chairman, Vice-Chairman, and Members of the Board of Guardians of the Isle of Thanet Union, for Rating Owners of Small Tenements to the Poor Rates in lieu of Occupiers.—By Mr. George William Hope, from Gentry, Clergy, and other Inhabitants of the Borough of Southampton, and by Mr. Ord, from Artists and other Persons connected with and interested in the Diffusion and Extension of the Fine Arts, in Newcastle upon Tyne, in favour of the Art Unions Bill.—By Mr. O'Connell, from Chairman and Members of the Board of Guardians of the Granard Union, for Alteration of Law respecting Ejectment of Tenants (Ireland).—By Mr. Ferrand, from Overlookers and other Factory Workers in the Employ of Messrs. Rogers, in the Parish of Bradford, for Limiting the Hours of Labour in Factories to Ten in the Day for Five Days in the Week, and Eight on the Saturday.—By Mr. Ferrand, from Samuel Gordon, Esq., of Aungier Street, Dublin, complaining of Injurious Proceedings carried on against him in consequence of his having acted as Secretary of a Society for Preventing the Removal of Protestant Tenantry in Ireland, and praying for Inquiry.—By Mr. Fitzroy, and Mr. Ogle, from Guardians of the Poor of the Lewes and Morpeth Unions, for Repeal or Alteration of the Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Mr. Hindley, from several places, against Enrolment of Militia.—By Mr. Thomas Duncombe, from Inhabitants of Paisley, for Alteration of the Poor Law (Scotland).—By Mr. Deedes, from Incorporation of Guardians of the Poor of the City of Canterbury, for Alteration of the Poor Removal Bill.—By Dr. Bowring, from Protestant Dissenters assembling in the General Baptist Meeting House in the Town of Saffron Walden, and from William Alexander, an Inhabitant of Great Yarmouth, for the Abolition of the Punishment of Death.

MAGISTERIAL OPPRESSION.

MR. CHRISTIE begged to know from the right hon. Baronet the Secretary of State for the Home Department, whether he had received any communication from the Poor Law Commissioners as to the steps pursued by them in inquiring into the case of the pauper, James Jervis, who had been committed, although 75 years of age, to prison with hard labour for 21 days, for refusing to pump at the Barrow-on-Soar Union workhouse; and also, what steps had been taken with regard to the female servant committed likewise to prison for being refractory?

SIR JAMES GRAHAM replied, that he caused inquiries to be instituted into the case of the woman described as a husbandry servant, and the replies not having been satisfactory he had recommended that a Commissioner (a Queen's Counsel) should be sent down to inquire into the entire facts and report upon them. That gentleman had been sent; and until he had sent up his report, it would be impossible for him (Sir James Graham) to reply to the question. With regard to the case of the

pauper, James Jarvis, he had communicated with the Poor Law Commissioners, and they had resolved to institute an inquiry; but it was a question whether it ought to be a public or a private one.

SILVESTER'S CASE—THE GAME LAWS.

Mr. COLLETT begged to repeat his question regarding a statement which had appeared in the *Hampshire Independent* of May 9, in which a policeman was represented to have offered a bribe to a man named Silvester, to lay a false information under the game laws against a fisherman, named Bridger. [The hon. Gentleman read the statement at length.] The disgusting case had excited considerable sensation in the district; and well it might be called a disgusting case. His complaint was against a magistrate, a minister of the law, and against a policeman for offering blood money. The first attempt having failed, a more pliable agent was found; and that agent went to the house of a poor fisherman named Frederick Bridger, and in the absence of the man sold the game to the wife. For this offence she was dragged before the bench, and sentenced by Sir Charles Taylor to hard labour and imprisonment. The charge was, that she had bought game of a person not authorized to sell it; but how was the poor woman to know whether the person who offered the game was or was not licensed? The woman bought it not to sell again, but for consumption in her family: her child was ill, and it was a common opinion in that part of the country that the brains of a hare would cure the disorder; and certain it was that the child got better. The hon. Member, after referring to a variety of documents, concluded by asking whether Hale was still in the police force, and Sir C. Taylor in the commission of the peace for Hampshire?

Sir J. GRAHAM reminded the House that when the question was formerly put to him, it related to an endeavour on the part of Hale, the policeman, to seduce Silvester to lay a trap, by inducing some person to purchase game. He (Sir James Graham) had, therefore, asked Sir Charles Taylor if there was any truth in the story; and by him he had been assured that it was utterly destitute of foundation. He had then called upon the magistrates who held the petty session at which the conviction took place to make their statement, and to accompany it by the evidence taken before them in the case. It would have been inferred from what was said on a former day, as well as this evening, that Sir C. Taylor was one of the convicting magistrates. The fact was not so: the convicting magistrates were Captain Lyon and Mr. Marden. Sir C. Taylor did not adjudicate, although he was present. Hale, the policeman, also positively denied the truth of the assertion, that he had had any conversation with Silvester about laying a trap for anybody. He (Sir J. Graham) was always reluctant to question the character of a person not willingly brought before the House, by the discretion, or perhaps in some cases indiscretion, of hon. Members; but he was bound to state as a fact capable of proof that Silvester was a convicted felon, having been found guilty of horse-stealing. Yet he was the person upon whose statement reliance was to be placed, and upon whose evidence an attack had been made upon the characters of Sir C. Taylor and Hale the policeman. It now appeared that the hon. Member had changed his ground, and shifted his issue to the case of Mrs. Bridger, who, it was alleged, had been entrapped into the purchase of a hare and a pheasant. Into this matter he (Sir James Graham) had yet had no opportunity of inquiring; but it seemed to rest upon what the hon. Member called affidavits, probably extra-judicial, and not of a legal character. The character of a magistrate had been assailed, and inquiries had been made to rebut the attack; and when it was supposed that that would be the question, another case, relating to different parties, appeared to have been got up. The case now brought forward by the hon. Member, he had yet had no opportunity of investigating; but he hoped the hon. Member would permit him to have copies of his affidavits, in order that, if no plan were found as to their regularity, and it turned out that the statements in them were false, the parties might be prosecuted and punished for perjury. [Mr. Collett: My question on a former day related to this case; and I call for an answer to it.] The question of the hon. Member related to an account in a provincial paper which he had read to the House, and which mentioned only that Hale, the policeman, had made a corrupt offer to Silvester. The reading of this account the hon. Member had followed up by his questions, the same as those put to-night, whether Hale was still in the police force, and Sir C. Taylor still in the commission of the peace? To those points he

(Sir J. Graham) had addressed himself, and had furnished himself with an answer, considering the subject narrowed to the statements as regarded Hale and Sir C. Taylor. If there were any other instance of an attempt to trap an innocent person into the commission of an offence, it was new to him; but from long acquaintance with Sir C. Taylor, he had such confidence in his honour, that he was certain, as related to him, it had no foundation. He had felt so as regarded Hale and Silvester, and the same strong persuasion existed in his mind as regarded any other accusation of a similar kind subsequently made. He repeated that he should be happy to be furnished with the honourable Member's affidavits, in order that if they were not sustained by facts the parties might be prosecuted, and the charge be refuted in the most satisfactory manner.

MR. COLLETT repeated that Silvester having declined the job, Hale procured somebody else to tempt Mrs. Bridger to purchase the game. It seemed to him part of the same transaction.

MR. BRIGHT admired the very natural sympathy displayed by most hon. Members whenever a charge was made against a magistrate. Such was the fact, and he believed that no Member would venture to deny it. Whether Silvester's story were true or not, the hon. Member for Athlone (Mr. Collett) had done good service by calling attention to it, because the statement had appeared uncontradicted in a widely circulated paper. Sir C. Taylor had taken no steps to contradict the report; and it purported to be a correct account of what had passed in the justice-room. There was no doubt that Mrs. Bridger had been trapped into the purchase of the game, and no doubt that she had been convicted when Sir C. Taylor was present, though perhaps not on the bench. [Sir J. GRAHAM: The conviction was signed by Captain Lyon and Mr. Marden.] Sir C. Taylor was present at the time, and the whole circumstances seemed suspicious. The poor woman was sent to Winchester gaol for a month for buying game of an unlicensed person; but how was she to ascertain whether the person had or had not authority to sell game? There was hardly a Member of Parliament who, a few years ago, did not buy as much game as he wanted of salesmen who were not allowed to have it in their possession. The fact was in evidence before Committees of both Houses. The poor innocent woman was sent to gaol for a month, and there she would now have been but for the kindness of the hon. Member for Athlone, who had sent down the fine and obtained her release. It had been said that Silvester was not a respectable man: perhaps so, but many who sold game were probably not more respectable. Although it might turn out that the case was not true in all its parts, the hon. Member for Athlone deserved credit for having brought it forward. Nobody knew better than the right hon. Secretary for the Home Department the gross misconduct of magistrates in cases connected with the game laws, and he (Mr. Bright) hoped that out of repeated instances of the kind would grow some measure to correct the abuse.

MR. LEADER thought the hon. Member had wandered from the question, which was whether Sir C. Taylor was guilty of what, if true, must be considered as an infamous act. Now, charges like that brought forward could not but inflict pain on those who were the subject of them. Sir C. Taylor was an old gentleman, nearly eighty years of age, and had been brought before the public by the hon. Member as having been guilty of an act which could not be considered otherwise than as highly disgraceful. He thought it was really too bad. He knew Sir C. Taylor, who spent the income of his estate in providing labour for his poorer neighbours, and in acts of charity, and was utterly incapable of anything like what the hon. Member for Athlone had attributed to him.

MR. P. SCROPE had also the pleasure of being acquainted with Sir C. Taylor. He must say that he believed that great injustice had been done him on the present occasion. He agreed with the right hon. Baronet that the hon. Member for Athlone had departed from the question of which he had given notice, and had gone into a number of statements which it was impossible for any hon. Member to follow. With regard to Silvester, he knew that he had been convicted of horse-stealing, and he also knew that Hales was a most meritorious and excellent officer of the Hampshire force. Sir C. Taylor had been for thirty-four years a Member of that House, and for fifty years a magistrate, and the present was the first charge which had ever been brought against him—brought against him, too, on the evidence of a convicted horse-stealer.

MR. SPEAKER called the hon. Member to order.

There was no question before the House, and the subject was dropped.

BREACH OF PRIVILEGE.

MR. BANKES said: Sir, I rise for the purpose of mentioning a circumstance which I should have desired to bring forward at an earlier period, had it not been that I wished to avoid the accusation of attempting to interpose unnecessary delay in respect to the passing of the Corn Bill. For this reason alone I have delayed referring to a publication in one of the morning papers, which appears to me a direct violation of the privileges of the House. Sir, I am not at all desirous of being more critical than any other Members with respect to remarks on their speeches or votes. But I think that there is a considerable difference between these general observations on our public conduct or opinions, and personal attacks on the character of individual Members, such as are contained in a letter to which a signature is attached—the signature of a person of station and character. I advert to the letter of a clergyman which appeared the other day (I think Friday last) in the *Times*. It may be remembered that in the late debate, the noble Lord the Chief Secretary for Ireland, in reply to a question of mine—that question being as to the present state of Ireland—threw out a taunt against me as to the condition of the labouring population in Dorsetshire, to which I was not then competent (I having already spoken) to reply; and on that account, one of the Members for that county felt bound to make a statement, in which I am not aware that any material inaccuracy occurred. But a clergyman of Dorsetshire thought fit to make this speech the text of a letter addressed to the editor of a newspaper—a letter which, apart from the reverend gentleman's private character, I must confess I think was not worthy of him, and was not inspired by feelings which ought to influence those in his sacred office. It is scarcely necessary for me to read any part of that letter. It would be painful for me to do so. This is not a solitary instance of that kind of conduct by this gentleman. He has been pleased to make similar comments upon me for a considerable period, which I have always regarded with contempt. But when a young Member, speaking for the first time in this House, is assailed by such a letter, publicly reflecting upon his character, it assumes a more serious aspect, and is a decided breach of the privileges of this House. This clergyman has long been in the habit of writing such letters; for, unhappily, with many virtues, they are counterbalanced by a miserable love of notoriety, which brings him constantly forward in a very unfavourable light; so much so, that the right hon. Baronet at the head of the Home Department termed him "the popularity-hunting parson." He is on the right hon. Baronet's side now, and I do not know if the right hon. Baronet would repeat the epithet. I do not adopt it, however; I only mention it to show that this gentleman has been in the habit of thus adopting a course so unworthy of his character, and so little calculated to be beneficial to the cause he has at heart. I now mention the subject with no view of proposing that he should be called to our bar, but in the hope that what falls here from me may, perhaps, meet the eye of his diocesan, the proper authority on all such points respecting the conduct of a clergyman within his jurisdiction, and who may kindly state to this gentleman that no good is done by taking such a course. It is in this view alone that I mention the subject at present; but, undoubtedly, if I again observe that this course is pursued by him, in defiance of this House, I will move that he appear at our bar; because I do not think that we ought to exert the authority of this House against such as are of inferior station, and allow offences so serious to pass with impunity when committed by those of rank and education—who ought to know, and who do know, what is the proper course to adopt; and this very gentleman, indeed, showed that he was aware of what course he should take, for he addressed to the hon. Member for Shaftesbury an explanatory letter fit to be read; and yet, after thus evincing that he knew what was the proper way to effect his object, he strangely adopted so improper a course as I have stated. I am sorry not to see the noble Lord the Secretary for Ireland in his place—still more sorry, as I hear his absence is on account of indisposition—for which reason, I can no further answer the taunt with which he recently replied to me than by saying, that the question I put to him he did not answer, nor any of his Colleagues. That question was, "How is this Corn Law measure to benefit the people of Ireland, either now or at any future period?" As to that, he only answered by saying, that the condition of the Dorsetshire labourers was as bad as that of the peasantry in Ireland. Then, I say, that

makes my question only wider; and I ask, "how will your measure benefit the people either of Ireland or of Dorsetshire?" To that you have given no answer. I feel your taunt, it is true, though not so deeply as you think, because I know it is unfounded; but I adopt the taunt for the argument, and ask, how will your measure make the peasantry better in the one country or the other? To that question, I repeat, you have ventured to attempt no answer. Sir, I wholly deny that their condition in Dorsetshire is such as has been stated. [Mr. BRIGHT: Hear, hear!] And as I hear the cheer of the hon. Member for Durham, I will remind him of what I heard him admit on one occasion (not confidentially)—"that it was owing to Lord Ashley that the attacks had been made on Dorsetshire; that the condition of the peasantry was not worse, it was well known, in that than other counties; but that as Lord Ashley attacked the manufacturers, they attacked him." These are my answers to those taunts. I feel them to be unfounded and unjust. I never will say that the wages in Dorsetshire are what I should wish them to be; but I will tell you what is the effect of the constant understatement of the rate of wages there—that those who see such statements of wages, lower than they are in the habit of giving, of course conceive that they are behaving handsomely. Thus, the course adopted certainly produces no good for the peasantry who are professedly the objects of so much solicitude.

MR. BRIGHT remarked that the hon. Gentleman had begun with talking of a breach of privilege, and ended by stating to the House the substance of a private conversation between them, of which he must say that he had no recollection. He had, in fact, had many conversations with the hon. Gentleman since he became a Member of that House, and he had not anticipated that the substance of any of them would have been made the subject of a speech by the hon. Gentleman, especially when no notice had been given to him upon the subject. This much, however, he would admit. If he had not stated to the hon. Member what it was alleged he had said, he had certainly used, at all events, similar expressions in conversation with others—he had said that one reason why the attention of persons in Lancashire had been directed towards Dorsetshire was, because the noble Lord the late Member had made himself so busy as to the working people of Lancashire. He might have said further, that although the condition of the Dorsetshire might not be worse than that of the Wiltshire labourer, yet were he to state that it was not worse than that of the labourers in the majority of English counties, he would be making a statement very far from the truth. He believed, however, that great benefit had arisen to Dorsetshire from the exposition which had been made of the condition of the labourers on the hon. Gentleman's own property.

MR. HUME said, that the hon. Member opposite rose to complain of a breach of the privileges of the House. Now he wanted to know what the document constituting this alleged breach was, and who the individual was who wrote it? When a case of this kind was brought before the House they ought to be informed what the document was, where it appeared, and, indeed, placed in full possession of it.

MR. BANKES said, that it gave him pain to read the attack, neither should he wish to name the rev. gentleman its author. After some hesitation the hon. Gentleman proceed to read the letter. The writer stated (referring to Mr. Floyer) that the hon. Gentleman was one—

"Whose words ought not to be too severely criticised; for from the low sum at which he is hired, one is bound to presume 'that there are some peculiar circumstances connected with him—'that he is not thoroughly up to his work, or something of that kind.'"

The hon. Member continued: If they wanted more, let them take this passage:—

"I have found the tenantry laying the blame on their own uncertain tenure of their farms, their heavy burdens, and heavy rents. The owners I generally find inclined to lay the blame on the grasping disposition of the tenantry, surplus population, and therefore overstocked labour market. The labourers themselves, to use their own phrase, say, 'The one shoots the bullets, the other casts,' which, translated, means that both alike do their best to screw them down to the lowest possible hire. It is not for me to say who is the culprit—I know the crime cries out aloud for justice—who did it I really cannot say; but I am inclined, if the farmer is accused, to regard the indictment of the landlord as 'an accessory after the fact' as only just."

He did think the first part of these extracts a direct breach of privilege; but he was, of course, entitled to use his own discretion as to following it up.

MR. CHRISTIE was sure that the rev. gentleman alluded to would have no objection to have his name mentioned. He was a gentleman well known, and he believed much respected by all who knew him for his great benevolence. Of course it was

not for him (Mr. Christie) to say that in all instances he had acted with the greatest discretion; but he had read the letter in question, and his impression was that there was nothing in that document of which the writer need be ashamed, and nothing which could be construed into a breach of the privileges of the House. The hon. Gentleman had only read portions of the letter, but if he had read the whole the House would have seen that the words complained of were mere playful annotations on the expressions used in the speech of the hon. Gentleman the Member for Dorsetshire (Mr. Floyer).

Mr. BANKES agreed with the hon. Member as to the rev. gentleman's good qualities; but a love of notoriety, in his opinion, counterbalanced them all.

Mr. WAKLEY thought that some allowance ought really to be made for the rev. gentleman. He had probably either heard or read the debates in the House; and if so, he had had the most ample opportunities of studying personal attacks made against honour and character. Indeed, he feared that the hon. Gentleman opposite (Mr. Bankes) had something to answer for in this respect.

The subject dropped.

CUSTOMS DUTIES BILL.

On the Motion that the Amendments made by the Committee be now read a Second Time,

Lord G. BENTINCK said: Sir, I rise to oppose the second reading of the Report on this measure, founded as it is on the principle of remitting duties of the customs instead of the excise. So long, Sir, as we levy the enormous amount which we derive from the excise, I think there is no good reason why we should remit these duties of customs, amounting to no less than 2,400,000*l.*, which amount of reduction could be applied more beneficially to excise duties, pressing as they do more inconveniently and severely on the people of this country. This is one strong though simple ground upon which I object to proceeding with this report. Another ground is, that if we are to reduce customs duties in preference to excise, we ought to apply ourselves to the reduction of the duties on the produce of those countries which take most of our produce—that we should give the preference to duties on articles which do not come into competition with the industry of this country. By a return laid on our Table by the First Minister of the Crown, it appears, that when excise duties are reduced, we are able to save an enormous sum in the expense of collection, reducing the number of officers employed therein, while at the same time we are relieving trade of many restrictions and inconveniences, and giving a spring to industry. When the excise duties were reduced on auctions and upon glass to the extent of 900,000*l.*, the cost of collection to the amount of 52,000*l.* was reduced, and the salaries of 450 officers saved to the public; whereas it appears that when customs' duties are reduced, the expense of collection is not reduced, for not a single officer can be dispensed with. Therefore, as you reduce the customs' duties the amount of revenue so lost is greater, and the extent of relief to the country is in the same proportion less than in the case of similar reductions in excise duties. These would be sufficient reasons, did none other exist, for not reducing the customs' duties in preference to the excise. But there is another reason, perhaps even of greater force. When you reduce customs' duties, the foreigner shares with the consumer in this country the benefit of the reduction. This has been shown in the case of the timber duties, on which at least one-third of the reduction has gone into the pockets of the foreigner. But if you reduce the duties on excise articles—soap, malt, bricks, &c., &c.—the whole of the benefit is derived by the subjects of Great Britain. I cannot understand upon what principle, so long as there are any excise duties to be reduced, the Legislature should prefer to levy these duties, and to reduce the duties of customs. The excise duty on soap, for instance, amounts to 36 per cent *ad valorem*; and it is admitted on all hands that soap is an article which, next to the absolute necessaries of life, adds more than anything else to the comforts of the poor; and it is equally important in manufactures. Then there is an excise duty upon hops—a duty realizing to the revenue only some 200,000*l.* or 300,000*l.*, but yet not less than 2*d.* per pound, and levied with restrictions most inconvenient to the producer, as the hop-grower cannot dry his hops without twenty-four hours' notice to the excise officer to attend the process. Then, Sir, as to the malt duty. As it amounts to 5,000,000*l.* per annum, it would not be possible, with a surplus of 2,400,000*l.*, to remit the whole of that duty; but at a future period the surplus might be larger; and there are some reasons for contemplating the possi-

bility of remitting this duty; as, for example, there might be a tax, perhaps, on beer, which might realize half the amount of the malt duty, and thus the House might be enabled to take off altogether the other half of the duty, and entirely relieve the maltster and farmer from the restrictions which press so heavily upon them. Mr. Huskisson well said, that the malt duty amounted to 60 or 70 per cent on the value of the barley, and that the restrictions and inconveniencies incident to the excise were equivalent to at least 50 per cent more. The malt duty is fixed, whatever the quality of the barley; the result of which is, that the malting is almost restricted to the superior barley. The regulations of the Excise impose the most severe restrictions on the farmer to prevent him from steeping his barley. The Chancellor of the Exchequer has, indeed, declared that experiments had been made by learned professors, not by agriculturists, proving that raw barley was as good for the fattening of cattle as malted barley. But the opinion of these learned professors is utterly at variance with those of practical agriculturists; and Mr. Hudson, one of the largest graziers and farmers in the country, who expended 10,000*l.* a year in oil-cake alone, has challenged the Government and their professors to a trial of the virtue of malted barley, at the rate of five quarters malted to seven quarters of raw. I find that as Her Majesty's Ministers like small numbers of examples in financial matters, so they like short numbers in examples on cattle. [The noble Lord quoted two examples from the Report of the Commissioners to inquire into the effects of Malt in fattening Cattle, of the feeding of two cows and two bullocks with malt and with barley.] The noble Lord proceeded—I think, Sir, when I come to analyse the report of 102 pages, I shall find that the experiments there mentioned are not worth a great deal more than the three years' experience of the present Government. I think it must be admitted, at all events so far as the inconvenience is concerned which these restrictions impose upon the farmers, that the question remains just where it did before any experiments were made. Having dealt with this part of the question, I am unwilling to occupy the time of the House upon the subject of silk manufactures. I object to the measure before the House on the ground that it is an unnecessary interference with the due protection to all these interests. I have never been in favour of any prohibitory duty; but I cannot understand why, as long as you consent to levy a duty of 70 per cent upon malt—as long as you levy a duty upon the grain of this country before it is distilled into spirits, making it altogether a duty of 400 per cent before the barley, or any grain, whatever it might be, can be converted into spirits—as long as you levy a duty of 36 per cent, *ad valorem*, upon soap—and as long as you levy a duty of something like 25 per cent upon bricks, I cannot understand upon what principle you abolish duties on foreign commodities when imported, none of them exceeding the 30 per cent which you have hitherto levied upon corn, and yet levy, generally speaking, upon silk. I am aware there are some articles on which the First Minister of the Crown remitted duty amounting to 147 per cent. It is upon caps and turbans. I believe that is one of the compensations offered to the agriculturists. I do not know to what portion of the agriculturists this relief will apply. I know not whether Her Majesty's Ministers intend that the wives of the agricultural labourers, or the labourers themselves, or the farmers, or their wives, are to deck themselves out in these turbans and caps of French manufacture. As far as the agricultural interest is concerned, we would rather see the bonnet makers, and hatters, and dressmakers of this country undisturbed in the enjoyment of their present monopoly, than accept any such compensation at the hands of the Government. Then, Sir, I will refer to the article of timber. The duty reduced upon Baltic timber already has amounted to 30*s.* per load. What has been the result? Why, that while the price of English oak was reduced 12*s.* a load, upon an average of the last three years, compared with the three years that Baltic timber was admitted into competition, and whilst the price of Canada timber was also reduced, the Baltic growers were enabled so far to increase their price, that they have put 10*s.* upon each load into their pockets for the last three years; and this last year they have profited to the amount of 17*s.* 6*d.* upon each load. It is perfectly clear, therefore, that the Baltic growers have now got a monopoly given to them by your measures; and you are proposing now to increase that monopoly, by giving them the advantage of 10*s.* a load more. They are amply protected by the difference between the freight from Canada and the Baltic of 20*s.* a load; and, there-

fore, it is impossible for the Canadian timber growers to compete with the Baltic growers. It is impossible for them to afford to sell their timber at a lower price than they sell it now; and the result will be, that the Baltic growers, not being exposed to competition, will be able to maintain the high price their timber now bears. Perhaps it will be argued that it is the reduction of the price of foreign timber that has caused the great consumption lately; but we have had the authority of the hon. Gentleman the Member for Sunderland (Mr. Hudson) that there would not be one foot less of timber consumed on the railways in this country, whether the duty was 55*s.*, or whether it was reduced, as you now propose to reduce it, to 15*s.* Upon an average, there is now consumed upon railways in this country 5,000,000 cubic feet of timber. This would be equally consumed, whether the price was 10*s.* a load more, or 10*s.* a load less. If the consumption had remained the same as it was formerly, it would have given an enormous increase of revenue to this country. In the year 1841, there were imported from the Baltic 561,313 loads of timber. This was composed of timber of all descriptions. In the year 1845, the timber so imported had risen up to 1,105,224 loads. This great increase in number was occasioned by the great railway speculation; and I am sure it never entered into the consideration of any railway company whether the price of timber was 4*l.* 10*s.* or 4*d.* The price was never for a moment taken into calculation in any discussion before the railway companies. Taking 30*s.* as the duty, the loss to the revenue would amount, upon the quantity of timber I have mentioned, to 1,725,336*l.* This is the amount of duty which, if it had been received, might have enabled you to reduce a very great number of those excise duties that are now inflicted. You might have remitted the soap duties, brick duties, and hop duties, if you had such a sum of money as that to deal with. Well, then, let us see whether the reduction of these duties has had the effect which the manufacturers of this country anticipated it would have—which the hon. Gentleman the Member for Bolton imagined it would have in 1839. That hon. Gentleman thought that the reduction in the timber duties would have induced foreign countries to reduce their tariffs, and take more of our manufactures in return. None of these foreign Governments have as yet reduced their tariffs. We are told that Prussia will; but it has not yet done so. Has the remission of duty on our part induced them to take any more of your cotton manufactures? I find in a statement that has been made, upon the accuracy of which great reliance can be placed —I mean a pamphlet I have quoted before, entitled "The Free Trade Policy Examined, by a Liverpool Merchant," and certainly one of the ablest pamphlets written upon the subject—it says, as regards these countries, Denmark, Prussia, Sweden, and Norway, the export of plain cottons in the year 1843 amounted to 2,212,936 yards; but in the year 1845, far from increasing, the export of cottons only amounted to 2,048,678 yards, being a decrease of 10 per cent on the amount of plain cottons exported from this country. On printed cottons, I find there was an export to those four countries of 1,207,198 yards in 1843; and in the year 1845 the quantity decreased to 971,156 yards, thus showing a decrease of 20 per cent. Then it seems it is vain for you to attempt to entice foreign countries to take your manufactures by importing their produce either free or at a low reduction of duty. You cannot, as has been ably said by my hon. Friend the Member for Shrewsbury (Mr. Disraeli), break down their hostile tariffs by your free imports. This was not the policy of Pitt. His policy was by treaty and negotiation to obtain reciprocal advantages for the commerce of the country. In his great measure of commercial regulation with France, Mr. Pitt distinctly founded that measure upon a ground the very reverse of the policy adopted by Her Majesty's Ministers. He distinctly founded his policy upon this ground, not that the free air of competition was good for the producers of this country, but that the great manufactures of France, and the great productions of France, should not clash with the great productions of this country. Mr. Pitt compared the French and English to two traders, in different spheres of life, not at all interfering one with the other; and the policy of his measure was this, that whilst the duties upon French goods were reduced, especially upon French brandy, about 100 per cent, he bargained that the duties upon the manufactures of English production should on no one article exceed 15 per cent; 15, 10, and 5 per cent, were the duties levied by the French Government upon articles of British manufacture. Mr. Pitt argued, that for every 1,000*l.* France gave to England, she must have given a million. His

language, in speaking of France, was that it was ridiculous to imagine that the French would consent to yield up advantages without any idea of a return. But Her Majesty's Ministers have now put it out of their power to give any return. They have given away all they had to give. France will take, Russia will take, Prussia will take, the United States of America will take, all the boons you have offered them, and kindly thank you for the same, and in return they will give you nothing. You should have held back these advantages and bargained with them, and then you might have induced them to reduce their tariffs. Mr. Pitt did not propose to admit the grain of France or any other produce which would clash with the policy of this country. That was a sound principle of a great Minister; and did that policy differ from the policy of Mr. Huskisson or that of Mr. Canning? Why, when the United States of America raised their duties on rolled iron in the year 1823 or 1824, did Mr. Canning sit down in silence and endure that the manufacturers of this country should have higher duties placed upon their manufactures without a return of any value? No. He issued an Order in Council, and took immediate means to be avenged upon them for the high duties they had placed upon the manufactures of this country. What was the statement of Mr. Huskisson in that House, in the year 1828, when speaking of the American tariff? When that tariff was raised upon cotton, and especially upon woollen, the Americans entered into a nice calculation to know how much they would be affected by our reduction of *5d.* a pound upon wool, and having ascertained that it would make a difference of 14 per cent, in the practical protection which the manufacturers of the United States received, they raised their duty immediately. Mr. Huskisson, referring to that tariff and the proceedings of the United States Government, said that if they persevered in their course he would take measures to retaliate. That Gentleman asked, how should it be expected, that if you submit passively to such proceedings as those on the part of the United States, you can expect that other countries will continue to allow your produce and manufactures to enter their markets at low duties? Mr. Huskisson even, in the article of cotton, said, you must put a duty upon cotton at once and for all, and encourage the growth of it in your own East Indies. He referred to what protection had done for indigo; and said, that the time was when you had to seek your indigo from foreign markets, but by the cultivation of indigo in the East Indies, we had been enabled to supply ourselves, and so it would be with cotton. That Gentleman advised them to give to the East Indies a protecting duty on cotton, and it would then supply us with the article, and we should be no longer obliged to obtain it from America. It is very clear that Mr. Huskisson's notions of free trade were not for us to have free trade without any reciprocity. If the right hon. Baronet pretends to be a disciple of Mr. Huskisson, he is certainly not walking in the true course pointed out by that Gentleman. Neither is he walking in the course of policy followed by Mr. Canning or Mr. Pitt. But what is the course adopted by Her Majesty's Government? They appear to take a pleasure in reducing the duty on the products of those countries which have hostile tariffs. Their reductions are chiefly upon the products of the United States, of the countries of the Zollverein, of Russia, Prussia, Norway, and Sweden; and these are the countries which have the highest protective duties. It appears to me that the wiser policy would be to reduce the duties upon the products of those countries which take our manufactures at a low duty, and to reduce the duties more especially upon the products of those countries, which having no ships of their own would be obliged to carry their produce in the ships of this country. Thus China, with a population of 300,000,000—China, which levies a duty of $6\frac{1}{2}$ per cent upon our goods—China, which has no ships of her own to carry her produce—China, which is removed to such a distance, that it requires a Chinaman thirteen months to make a voyage from this country to China and back—there is an opportunity, if you are determined to reduce your customs' duties—there is a great opportunity for you to encourage your trade with China. You raise 250 per cent of duty upon tea, which, next to bread, has become one of the necessaries of life to the poor in this country. On what principle do you say that you will not continue to levy a duty which never since 1842 has amounted to 27 per cent on foreign corn, and yet continue to levy a duty of 250 per cent upon tea, which is paid by the poor? We have in the reports of the Canadian newspapers which were received two days ago, an example of what the reduction of the duties on tea will do in the

way of consumption. I see it stated in the speech of the Chancellor of the Exchequer in the Legislative Assembly of Canada, that the consumption of tea in Canada has risen tenfold since they reduced the duty. Well, then, it is clear that if we reduce the duty on tea in this country, where the taste for tea has increased to a greater extent than it can possibly have done in the colder climate of North America, there can be no doubt that here also its consumption would be greatly increased. But, instead of that, you reduce the duties on the produce of those countries which will not take your manufactures in return, and which already engross the greater part of the carrying trade. Take the United States for example. I find by a report that the clearances from the port of Liverpool to ports in the United States, Boston, Charleston, Baltimore, New Orleans, New York, and Philadelphia, in the year 1845, consisted of 127 British vessels, measuring 79,417 tons, and no less than 463 vessels of the United States, measuring 305,229 tons, so that four-fifths of the whole tonnage employed in that trade belong to the United States of America. By another statement, which appears to be well authenticated, it seems that of the whole shipping trade of Liverpool half is employed in the trade to our own Colonies. Therefore I think that the policy which is pursued in the measures before the House, is one which is not conducive either to the maritime strength or to the national prosperity of the country. I have said on former occasions, and I think it cannot be too often urged upon the House, that the disadvantage of the trade of this country being carried on in foreign ships, is not limited to the freights or to the crews employed, or even to the shipping interest itself. It is not limited to the shipowners, or even to the sailors, but it extends much further. The provisioning of those ships amounts to an enormous sum in the course of a year. It is perfectly clear that when a British ship comes home, and the men are paid off in a British port, all the wages earned by the seamen are spent in that British port. The publican, the baker, and the slopseller, the tailor, all come in for their share. But if the goods of a foreign country are carried in the ships of a foreign country, the sailors spend none of their money in this country. They return home—they are paid in a foreign country, and in that country they expend all their wages. Therefore, I think that many of those classes who now cry out for free trade will find their own profits greatly curtailed, if the policy of Her Majesty's Ministers should issue in more of the carrying trade of this country being transferred from the shipping interest of this country to foreign ships. I am well aware, that when I urge the question of the shipping interests upon the notice of the House and the country, I shall be told in return, that though it is perfectly true that the shipping interest in the Baltic has increased threefold within the last five years, yet our own shipping has increased also. But what is that, if all other nations beat us in the race? It is no good to us that we progress at a certain pace, if all other nations should far outstrip us; and when we reflect that the number of seamen employed by us in the trade with the United States so long ago as 1769 was 28,000, and that now they only amount to 9,000, it must be admitted that the great falling-off in the employment of our seamen in those countries which from Colonies have become independent States, is matter for very important consideration. Coupled with that comes the question of the Canadas. I am aware an impression has gone forth, that notwithstanding the untoward appearance of Her Majesty's Ministers being in a minority in the Canadas, which I noticed on a former occasion—an impression has gone forth that Her Majesty's Ministers have obtained a great triumph, and that the Canadas are entirely satisfied with their policy. I confess that after having read the debates and the Canada newspapers, I am at a loss to discover on what those who take this view of the question ground their opinion. True, it is, that the first minority in which Her Majesty's Ministers were put in the Legislative Assembly of Canada has been overcome; but how has it been overcome? It has been overcome by the measures which have been introduced not coming up to the measures which were recommended by the right hon. Secretary of State for the Colonial Department. They have declined to adopt free trade; but they say there is a 3*s.* duty, which has been placed upon the frontier for the protection of the agriculture of Great Britain; and we consent to remove that duty. They say if you desire it we shall remove that protection; we shall consent to allow wheat to pass in bond, as it were, for exportation to the mother country. But we will not consent to adopt measures of free trade as the policy of our country. But does that express satisfaction with the measures of

Government? None whatever. They say, looking at our hopeless position—looking to the two parties in this House, and seeing that each of them threatens to annihilate the interests of Canada, we consent only because we feel that we have no power to resist. What is the language that is held, not by the party of M. Papineau—not by the party of M. Baldwin—not bye the Opposition; but what is the language that is held by Her Majesty's servants themselves in Canada? What is the language that is still held by Her Majesty's Solicitor General? At a meeting in Toronto that gentleman had formerly said that if the object of the Imperial measures was by gradual degrees to attach the Canadian colonists to the United States of America, that they would not be the culpable parties, but that the Imperial Legislature, over whom they had no control, must bear the blame. Is he converted now? Does he think that the measures which he formerly denounced, now to be for the benefit of the inhabitants of Canada? Far from it. This is the language, even whilst he advocates them, which he holds concerning the measures of Her Majesty's Ministers. He says, if ever there was a time when the trade, the commercial existence, the means of revenue, and the credit of Canada were in danger, it is this. What satisfaction with the measures of Her Majesty's Government is to be found in language like this? Then what says Mr. Draper, the Attorney General? He says the effects of these alterations threaten evils of the greatest consequence. What satisfaction is there to be discovered here with the measures of Her Majesty's Government? Can any one discover contentment with Her Majesty's Ministers, and approbation of the Imperial policy in language such as this? But here is the reason which he assigns for supporting the measures of free trade; that is to say, for reducing the frontier duty on wheat. I see it coming, and I tell the people of this province, it is no use shutting their eyes to the fact, that if we cannot make our works pay for what they have cost, we had better declare for bankruptcy and repudiation at once. Well, then, what is the feeling of the trade? I hold in my hand a letter from Mr. Young, of the firm of Buchanan, Hamilton, and Co., the largest firm in Canada—a firm whose capital, as I am informed, amounts to the sum of a quarter of a million sterling, whose business is entirely what is called commission business—that is, the exportation of goods of all descriptions to Canada—what is the language which he holds? He writes from Hamilton. He says, that the drawback bill which the American Congress have passed, and the bill permitting the warehousing of goods which is before them, show that the Americans are alive to the new importation trade which is about to be opened up, and to take advantage of it; that the Erie Canal Company have reduced their dues on goods to the lowest point, and that offers have been made to carry goods from New York to Hamilton through the lakes by steam at the following rates—pig iron, $22\frac{1}{2}$ cents, that is $11\frac{1}{4}d.$; sugar, 28 cents, or 1*s.* 2*d.*; fine goods, 33 cents, or 1*s.* $4\frac{1}{2}d.$ per 100 lbs. each. This was a cost with which they could not compete in conveying goods to Hamilton by the St. Lawrence; and the writer goes on to say, this will make New York a much more important point than it would otherwise be, and it will greatly lessen the importance of Montreal. This is the trade with which we were told Canada West was not concerned. The writer went on to say, this, of course, will be a great injury to British shipping, and a corresponding benefit to the Americans. The practice of a great trading interest is worth more than a hundred statements, or a hundred arguments. I gather from the last paragraph of this letter, that this great trading firm, whose capital amounts to a quarter of a million sterling, hold the opinion that, in consequence of the alteration in our commercial policy, they must prepare to wind up their business. Having read the paragraph, the noble Lord proceeded: Having thus dealt with the Canadian question, I look to Germany—to the Zollverein—and I ask what prospect is there of our obtaining any beneficial return for the generosity with which we have opened our commercial arms to them. I look at the results of the Zollverein, which was established in 1836. I find that the net revenue from the tolls levied by the Zollverein in 1834 amounted to 1,826,840*l.* In the year 1844 the revenue had grown to the sum of 3,781,710*l.* It had more than doubled in the course of ten years. These are the results, not of free trade, but of restricted trade. I have no doubt that hon. Gentlemen are well aware that the mode of distributing this revenue is according to the population in each country—that is to say, it is divided, as it were, by a poll tax upon the number of the inhabit-

ants. The result is, that the revenue averaged 1*s.* 6¾*d.* per head during the first period, whilst it had risen to 2*s.* 9½*d.* per head during 1844. Now, I ask whether it is reasonable to expect, when the policy of the Zollverein has answered so admirably, that the people will consent to a reduction of the tariffs from which the taxes are levied in a way so satisfactory to themselves, especially when you have no longer anything to offer them in return. Had you retained your duties—had you said we will reduce our duties on corn, on timber, or on the hosiery of Saxony; if Saxony will allow our iron, our cutlery, our hardware, our cotton, or our woollen manufactures to be imported at low duties, then that would have been a reasonable ground why our duties should have been relaxed. But you have given them all they could ask. You have opened wide your markets to them, and have left them no more they can desire, while they are prepared to protect their manufactures; and by their protection they have nursed their manufactures almost into a rivalry with our own. Their policy is this—to take your yarns and your twists—your raw manufactured articles, and then to manufacture them into valuable goods. That is the policy which they have pursued. I find that in 1836 they imported 95 centners of iron—that is, 100 lb. in weight; in 1841 they imported 98,600 centners; but they will take none of your cutlery or hardware. Of bars of iron, in 1836 they took 172 centners; which increased to 550,000 centners in 1844. I find that, in like manner, of raw yarn, in 1838, they took 363,000 centners; in 1841, they took 464,000 centners. I find that they spun at home altogether 561,000 centners of yarn, which, taking into account the difference in value between raw yarn and cotton, the average value of cotton being three or four times that of yarn, would amount to 12,000,000*l.* sterling. And to show how protection has succeeded in nursing their manufactures, I may state, that in 1841 they exported no less than 87,000 centners of cotton hosiery goods. On these grounds, seeing no just reason to hope, in the present mode of proceeding, that you will induce foreign countries to take your manufactures — that by your course of free trade you will obtain reciprocity in return—on these grounds I have opposed the measures of Her Majesty's Ministers. I think that the result of these proceedings will be to give a benefit, a great benefit, to foreigners, and to inflict a corresponding injury upon ourselves. I wish, when the circumstances of this country will admit of a reduction of taxation, that you should reduce those taxes of which the entire benefit of the reduction would go into the pockets of the people of England. I wish to see those duties reduced—if you can afford to reduce duties—which bear upon the produce of those countries which will consent to take our manufactures in return. I wish to see duties reduced in favour of those countries with which you will have an opportunity of employing your own shipping, instead of reducing duties on the produce of those countries which have ships of their own in which to convey their produce; and, above all, I object to the policy which seems to be adopted by Her Majesty's Ministers, of dealing with nations as they deal with their Friends in this House, bearing hard on those which deal kindly with you, and of making concessions only to those who oppose you. I object to their policy, that it is based on the principle of making concessions to hostile rivals, to enemies, to those who are opposed to us and to our interests; and that it refuses concessions, and turns the cold shoulder to those countries which manifest towards us a friendly feeling; and on these grounds I move that the Report be taken into further consideration this day six months.

Mr. LAWSON said, it was with great reluctance he had agreed to follow the noble Lord, *longe sed proximus intervallo*, in seconding his Motion; but he did so with the greatest sincerity, as the noble Lord's views were in accordance with the principles which he (Mr. Lawson) had entertained all his life, and particularly in 1842 when the amended Tariff was proposed. He had opposed that measure, and had he then been supported as he ought to have been, he would have pressed his Amendment to a division. However, he was glad now to find that after three years' experience of the policy of the right hon. Baronet, his Protectionist Friends agreed with him in their opinions of its injurious effects. The present dissensions in the party had been alluded to as if those who were called the country party were really acting against the principles which they had formerly supported. Now, to his certain knowledge, the opinions of his hon. Friends at that time were as much opposed to the free-trade system as they are now. The only reason why they then supported the

right hon. Baronet was the expectation held out to them by the right hon. Baronet, that those concessions then made would avert the necessity of further innovations, and would afford a permanent settlement of the question of free trade. He would now refer to the measures immediately before the House. And, first, as respected manufactures; he had at several previous periods stated his objection to the lowering of duties which had been for some years levied on articles of foreign manufacture. The bad effect of reducing the duty had been strongly shown by a return moved for by the hon. Member for Warwickshire. From that return it was shown that by the relaxation of duty the imports of foreign boots and shoes had been doubled, and in some cases trebled, thus displacing the profit of trade, and the wages of workmen to that amount. He was sorry that such an effect should take place under the sanction of the present Government. The next fact to which he was desirous of drawing attention was connected with the linen trade. He had stated before, that the home growth of flax was of essential service. Since he had made that statement, a Paper had been laid upon the Table of the House, fully supporting the doctrines of protection which he advocated. That Paper stated to the effect, that it would not be too much to expect that a large increase of the linen trade would take place in Ireland—a trade that, properly fostered, might run parallel with the cotton manufactures of another part of the kingdom, with this difference to the advantage of the linen trade, that whereas the raw material in one case was brought from abroad, in the other it might all be produced in this country, and the whole return be expended in labour at home. As it stood, however, five or six millions were sent out of the country annually, to the benefit of foreigners, for the purchase of that which might be grown at home with profit to the farmer, and advantage to the labourer. He would now advert to potatoes; and if the subject was distasteful to the House, he hoped the House would recollect that the whole argument of the right hon. Baronet had once been based upon the failure of the potato crop, or the appearance, as it had been called, of the potato rot, or the potato famine. The right hon. Baronet had said, with respect to the failure of the potato, "wait till May." The House had now waited until May; and what did they hear? Why, that the right hon. Baronet, in a speech not long time since delivered, had said, that the loss of the potato crop was not the cause of the introduction of his free-trade measures. So these measures could now go unfettered to another House, stripped of all that maudlin sentimentality with which they had been invested by the alleged failure of the crop of potatoes. He could not avoid objecting to the use which had been made of the name of Providence, during the progress of the debates, ascribing to it the afflictive calamity which had been exaggerated for a party purpose. It has been even asserted by a noble Lord the Member for the West Riding, that "the stars in their courses fought for" free trade, thereby implying that Providence had been the author of evil, that presumed good might come—a doctrine abhorrent from just sentiments of a mild and benignant overruling Power. After this late favourable season, he would rather exclaim with the Roman historian, "*Benignitate Dei, et modestiâ hiemis rebus extremis subventum est.*" The assertion he had made on a previous occasion as to the great fluctuations in prices since the passing of the first free-trade measures in 1842, and as to the low price at which Yorkshire potatoes had been offered in vain for sale in London, were fully borne out by facts. In respect to foreign potatoes a duty had existed in 1842 that was nearly prohibitory — he believed it amounted to 2*l.* If they looked to the returns connected with that article, since 1842, they would find a fair specimen of what they might reasonably expect in case they should have a free trade in corn. He would ask the following questions: Had the price of potatoes been lowered since 1842? Had their law made them independent of seasons? Had it made them receive an ample foreign supply? And lastly, had the prices been steady? In respect to the last question, the returns which he held in his hand stated that the prices of potatoes had fluctuated in 1842, 1843, and 1844, from 40*s.* to 90*s.* And in the present season the prices varied from 10*s.* to 150*s.* If that was so, what a contrast this afforded to the benefit of the sliding-scale, under which prices had been perfectly steady, and the greatest variation had been only 33 per cent. As that statement had been cheered from the Treasury Bench, he would state now, that when the greatest rise in potatoes took place, it was in December last. In December, 1843, the highest average of potatoes was 58*s.*; in 1844 the highest

average was 58*s.*: and in December, 1845, the prices rose to 90*s.* Perhaps the hon. Gentleman would cheer this. The moment that Peel's Tariff came out, from 90*s.* they went up to 150*s.* It appeared by the reports that up to the 1st January, 1846, the greatest increase in any article of export was in potatoes, the declared value having been before that 5,000*l.*, and for the year ending January, 1846, it was 23,000*l.* He presumed that 23,000*l.* would purchase 10,000 tons of potatoes. If that was the case, what became of the declaration of the Premier, that he could not find vessels to import 10,000 tons of potatoes? If there were vessels sufficient to export 10,000 tons of potatoes, there would certainly be vessels sufficient to import them. It had been said that potatoes were plentiful in Yorkshire, and he could quote from two respectable local journals, the *Leeds Mercury* and the *Leeds Intelligencer*, in corroboration of this. One paragraph which gave the information was headed "Important Fact." In this paragraph it was said that 600 bushels of potatoes were offering weekly at 2*s.* a bushel. They had also been sold at 5*d.* and 6*d.* per peck. A gentleman, an inhabitant of that county, had also told him that potatoes were 2*s.* a bushel in Yorkshire. He had also written to his man of business in Yorkshire upon this subject, and he had found that potatoes were selling near Ripon, from 20*d.* to 2*s.* and 2*s.* 4*d.* a bushel. At Knaresborough the price was 2*s.*, though they were now becoming scarce for seed. The same person also said, that so large a quantity of potatoes had been set this year, that the produce would be extremely large, and the price low. He (Mr. Lawson) had also stated, that a cargo of potatoes had been brought up to London from Yorkshire, and could not be sold. He was now prepared to show that this was really the case. He held a letter in his hand, detailing all the circumstances. The potatoes came from Howden. They were in quantity fifty tons, had cost 88*s.* a ton, and, after being dressed for the London market, they probably cost 96*s.* per ton. The cargo was kept in London six weeks, and could not be sold even at 50*s.* per ton. This very cargo was now at Selby, on its way to Leeds. [Sir R. PEEL: Was the cargo good?] Yes. He feared that if the measures of the right hon. Baronet passed, which he trusted they would not, corn would get into the hands of factors, as potatoes had done. He would now refer to the progress of the measure in another place. After the arguments which had been addressed to the fears of the Members of another House, he should say, that if any one of those noble persons possessed the spirit of their ancestors, they would not yield that to clamour which they have refused to argument. If, however, any of the aristocracy should truckle to any Government in power, and should betray that want of moral courage and fortitude the presence of which, in his opinion, was one of the highest ornaments of those who were of the highest birth in this country, then he would say—

> "What will ennoble sots, or slaves, or cowards?
> Alas! not all the blood of all the Howards."

Although in one instance it had been attempted to reanimate that blood by an infusion of curry-powder, he thought the blood of the Howards would fail in gaining the respect of the country if they were found truckling or subservient to Ministers. He trusted, however, that there was not the slightest chance of the passing of this measure, which, in his opinion, would be as destructive of individual interests as it would be productive of national degradation.

ALDERMAN HUMPHERY said, the hon. Member must have been wofully deceived to suppose that potatoes bought in Yorkshire at 88*s.* a ton, and raised by other charges to 95*s.*, could be sent to London, kept for six weeks, and then offered at 50*s.* a ton. It so happened that from 20,000 to 30,000 tons of potatoes passed over his wharf annually; and therefore he must know something of the matter. He did not believe that at any time there had been potatoes at 50*s.* a ton, except in a very abundant season, when they had been sold for the cows. This year potatoes had come to London from Yorkshire and Scotland; and in the result they had been found to be very bad; many cargoes having been thrown overboard because they had been spoiled. At the present moment, and he believed through the whole winter, potatoes grown in Yorkshire, and known as the Scotch reds, had fetched 5*l.* to 6*l.* per ton at the water side; in fact, they had been dearer this year than any year within his recollection. No potatoes had been sold of the quality spoken of by the hon. Member, the Yorkshire reds, under 4*l.*, and even these were not of first-rate quality. If the hon. Member would only let him look at those letters, he should be able to prove that it was a perfect hoax from first to

last. He should think that the potatoes must have been rotten; and it being found that there was no chance of their being sold they were taken back. [Mr. LAWSON handed the letter to the worthy Alderman.] The potatoes must of necessity have been in a state of decomposition; and the only way in which he could explain the case was by supposing that the owner of the ship was determined to get his freight for them, and not being able to get it in London took them back to Yorkshire.

The CHANCELLOR of the EXCHEQUER did not wish to prolong the discussion on the subject of which his hon. Friend had spoken. He had heard his hon. Friend's statement with very considerable surprise, for he could not, any more than the worthy Alderman opposite, account for a Yorkshireman having resorted to so singular an expedient with his potatoes, unless he were to suppose it possible that they might have been intended as a screen for the conveyance of some smuggled article, a circumstance which would take away any wish he might have to examine his hon. Friend's correspondence. The observations of the noble Lord the Member for Lynn appeared to him to be directed to two points: one was, a general objection entertained by the noble Lord to the removal of customs duties as compared with excise duties; the other referred to the inexpediency of making any reduction of duty on articles introduced from countries which did not give us a corresponding advantage. In dealing with the financial part of the question, the noble Lord, he must say, did lay down some principles of finance which at least had the merit of being entirely new, but were of such a character that he thought there was no chance of seeing them carried into effect by any persons who might be responsible for the conduct of the public finances, unless, indeed, the noble Lord himself should be in a situation to induce the House to accede to principles as novel as those which he had announced. He must say, also, that the noble Lord had stated some principles applying to trade not less extraordinary than those he had recommended the House to adopt with respect to finance. But there was one consolation to those who had heard the noble Lord—the one part of his speech was an effectual answer to the other; so that those who heard the noble Lord had the advantage at once of hearing his objections, and of hearing them completely answered. The noble Lord laid it down as a general principle that excise duties ought to be repealed; that by the total repeal you offer a great relief to persons dealing in excisable articles, and get rid of the establishments employed in their collection. He gave the noble Lord the benefit of the whole of that argument; he admitted that if you could repeal all the excise duties you would both give great relief to the consumers, and get rid of establishments which must be maintained so long as you retain any part of the duties. But when the noble Lord proposed to raise the whole revenue by an augmentation of the customs duties commensurate with the reduction in the excise, he attempted a system of revenue which could not be carried into effect with advantage to this country. If there were arguments in favour of customs duties on particular articles, parallel arguments might be adduced with respect to excise duties on certain articles, or with respect to other taxes, which might, nevertheless, operate unfavourably on particular classes of persons. The adoption of one or other class of duties was, after all, a mere question of apportioning an inconvenient burden in the manner least obstructive to the progress of trade, and least prejudicial to the general interests of the community. If we, having a large revenue to maintain, took on ourselves to repeal the greater portion of the excise duties, the necessary consequence would be the imposition on the foreign trade of this country of a greater burden, which would injuriously interfere with its progress, and would lay an unfair burden on persons consuming articles of general use imported into this country. Balancing the inconveniences and benefits which would result to the trade of this country, he believed the system of the noble Lord would be prejudicial. The noble Lord gave a statement of particular articles, the duties on which he thought it would be advisable to repeal, beginning with soap, the duty on which he described as being so heavy as to prevent the consumption of the article among the body of the community. He (the Chancellor of the Exchequer) had never disputed that the repeal of the soap duty—provided the revenue would bear it—would be a great advantage to the community; nor had he denied that the removal of a portion of the same duty some years ago did produce great benefit. But let him remind the noble Lord that the price paid for soap by the community generally, had hitherto been compounded of several ele-

ments—partly of the duties levied on imported commodities of which the soap was made, and partly of the excise duty on the manufactured article itself. If they had not repealed the excise duty, and given relief to the consumer by that reduction, they had at least given the public this advantage—the duty on the tallow of which the soap was made had been reduced one-half, that on the oil of which the soap was made had been reduced. ["Hear."] Ay, but give him leave to say these were the modes in which the industry of the country had been stimulated, and foreign trade encouraged; and they had conferred advantages more than equal to those which would have been derived if a corresponding reduction in the excise duty on the manufactured article had been made. Considering these things, he did not hesitate to say that the public had benefited more by a reduction of duties on the articles of which the soap was made, than they would have done by the repeal of an equal amount of the excise duty. The tax imposed on the raw material of manufacture necessarily enhanced the price of the manufactured article beyond the amount of the tax; whereas the excise duty being levied on the last stage of the manufacture, and credit being allowed for the duty for a considerable period, the manufacturer had an advantage, and was enabled to impose no greater burden on the public than the amount actually paid into the Exchequer. He did not mean to undervalue the benefits that would result to trade from a revision of the excise laws; he was only setting off against the inconvenience of the excise laws, the inconvenience of exorbitant customs duties. In a period of general peace, when trade must be encouraged, and the amount of benefit to the community in general must depend on the extent to which it was encouraged, he did not think it would be wise to depart from the principle hitherto followed in England of dividing the duties levied on articles between the customs and excise. In another part of his speech, the noble Lord paid a tribute, in which every man must concur, to the merits of former finance Ministers—Pitt, Canning, and Huskisson. But did the noble Lord ever hear from them that it was advisable to transfer a larger portion of the revenue from the excise to the customs? Quite the contrary. The wisest course appeared to him to be to divide between the two branches such remissions of taxation as could be afforded. It was impossible to deny that such a course had hitherto been advantageous to the revenue, and had more than answered the expectations that had been formed of it. With respect to the duty on malt, the noble Lord had estimated it at five millions, and acknowledged the difficulty of replacing that amount of revenue, but recommended the reimposition of duty on beer. That any one professing the horror of the excise which the noble Lord had expressed should propose such a course, appeared a most extraordinary financial proceeding. How would it operate? Either the excise officer must be introduced into every dwelling where beer was brewed, or only into the public breweries and places where beer was sold. It had been an object with benevolent persons to encourage homebrewing by small farmers and the poorer classes, and such a course had been deemed beneficial to the agricultural interest. But if the tax on beer was to be general, every cottage and farm must be brought under the control of the excise officer. But if the visits of the excise were to be confined to the public breweries, upon whom was the tax imposed? Upon the lower classes, who bought their beer; while those who had the means of brewing for themselves would be exempt. He had been instrumental in removing this duty; and he should indeed regret if the House were induced by the arguments of the noble Lord to reimpose it. Certainly, to collect the malt duty there must be a supervision of the parties who were to pay it, and that supervision did interfere in some measure with the trade. But weigh that inconvenience against the consequences that flowed from the beer duty, and every one who had paid any attention to the subject would agree that the malt duty was more equitable in its operation, and less liable to abuse than the excise on beer. The noble Lord had thought proper to be jocular upon the report of a gentleman who had taken the trouble to conduct some experiments upon the fattening properties of malt, and had complained of the process not having been intrusted to a gentleman conversant with agriculture; but why the experiments of weighing the food and weighing the cattle, and observing the results, should not have been conducted by the gentleman who had so kindly undertaken the task, could not well be conceived. The result of those experiments had been long known, and he had not yet heard of any agricultural gentleman having undertaken experiments to

show that that result was erroneous; and until some experiments had been made with equal accuracy to those the report of which had been laid on the Table, the noble Lord would excuse him if he were a little incredulous upon the objections which the noble Lord had raised to the latter. With respect to hops, the grower had had the monopoly of the market; the foreign grower was subject to duty on his hops when imported, and it did not appear to him to be one of the articles calling now for a removal of the duty. Then with regard to the 400 per cent on spirits, Parliament and finance Ministers had agreed that spirit was an article which should be subject to the highest duty of which it was susceptible; and if it were so subjected, it was satisfactory to know that in this country at least the duty was not beyond what the article would bear without creating illicit manufacture. He did not know, when the noble Lord proposed the reduction of the duty on home spirits, whether he intended to retain the duty on the foreign article, and thus produce the evils which would proceed from a low price of the former, while the latter would practically be excluded from the market. The noble Lord referred to the objection he had formerly made to the reduction of the duty on timber. The noble Lord made the most extraordinary financial proposition on this point that he had ever heard. The noble Lord admitted distinctly that there had been a great increase in the timber trade since the period when the duty was reduced. But he said, "See what a benefit the revenue would have derived if you had not altered the duty; in the year 1841 the timber introduced was only 500,000 loads, whilst in 1845 it was above 1,000,000 loads; and if you had retained the old duty of *55s.*, instead of *25s.*, you would have made 1,500,000*l.* of additional timber duty;" forgetting, most, unaccountably, that the large increase of importation was the result of the reduction of the duty. And the noble Lord said the consumer had not got the whole of the benefit of the reduced duty, because part of it had gone into the pocket of the grower in Denmark. He was willing to admit that with respect to the last year; in the preceding year the consumer got the whole benefit of the reduction of duty. In the latter year there had been an increased demand for timber, and the demand having been greater than the supply, there had been a rise in price. But would not that have been equally the case if the theory of the noble Lord was correct according to his doctrine? If the duty had not been reduced there would have been the same demand on the foreign grower, and the same advantage would have been derived by him in a pecuniary point of view. But there was one great error running through the whole of the noble Lord's calculations. The noble Lord supposed that in matters of trade the necessary advantage of one country was the disadvantage of another; and he could not understand how in matters of trade the advantages were mutual. In ordinary life, it frequently happened that the prosperity of one man depended on that of his neighbour. With respect to trade, he was confident that was the case; and he did not admit that because the Northern Powers might have profited by the reduction of duty and the increased introduction of the articles of their produce, that this country had therefore suffered, or had not been equally benefited. How did the noble Lord show that this country had not been benefited? The noble Lord said, "You have not exported to Prussia or Russia a quantity of cotton corresponding with the amount of timber you have received." But that was no proof that this country was a loser by the trade. If cotton had not been sent, how did it get paid for? If they looked at the general mass of manufactures sent to foreign nations, they would observe in that mass that although Russia or Prussia refused to receive some goods direct from this country, they did receive the value of those articles which were sent to other countries; and the only effect was that instead of Prussia or Russia taking them directly, they were sent to a distant country, and exchanged for other commodities which suited Russia and Prussia. Then as to the remarks of the noble Lord with respect to shipping. If the shipping of Prussia had increased, the shipping of England had increased also, having more than doubled since the year 1822. We ought rather to look with thankfulness on the increase of our own resources, than with jealousy on the increase of the commerce of other countries. The noble Lord had adverted to the situation of Canada, and intimated that the measures which had been recommended to the House were calculated to damp the loyalty of that portion of Her Majesty's subjects, and lead them to encourage the prospect of separation. He had

this day laid on the Table the despatches which had been moved for a few nights ago. And what was the result? It was said, at an early period of the discussion, that there would be a great outcry in Canada for a reduction of the duties on timber; that the reduction would annihilate the produce, and create universal dissatisfaction. But what was the prayer of the Legislative Assembly in their recorded address to this country? Did they object to this reduction of the timber duties as a matter likely to affect their interests, and alienate their affections from this country? Not at all. They did not say one syllable on the subject of the timber duties; they prayed only that instead of levying a duty of 1*s.* on corn, the duty might be 1*d.* It had been said that the House of Assembly in Canada had opposed the measures of the Government, and carried an adjournment against the Government by a majority of seven. Now, what was the fact? The instructions given on the subject of the 3*s.* duty on the import of corn was this — that the Colony should be at liberty to pursue the course they might think most conducive to their own colonial interest; and the representative of the Government in the House suggested the repeal of that duty. A proposition was made to adjourn the debate, and that adjournment was carried by a majority of seven; but on a subsequent and no distant day a reduction of 3*s.* was proposed, and, so far from the Government being in a minority, there were two divisions, in one of which there was a majority of sixteen, and in the other a majority of twenty. The noble Lord had mistaken the point on which the debate arose. The United States had completed a canal to Lake Erie, by means of which the produce of Western Canada could be taken to New York, and Canada be supplied by articles from thence by that canal; this measure had been favoured by the United States Government. The parties who were debating the question in Canada said they had spent 1,500,000*l.* in completing the water communication by means of the St. Lawrence and the canals attached to it, and if the American Government conveyed that produce to New York, the canals would be useless; they must, therefore, exert themselves to bring the trade down their own canals. That was the object to which the attention of the House of Assembly was directed. There could be no doubt that Canada had derived a great and permanent advantage from her connexion with this country. Her trade had been extended—her capital increased—her improvement promoted—and if the sense of the province could be taken, man by man, as to the improvement of her situation by a connexion with the United States, he believed the party in favour of such a connexion would be small indeed. The great principle laid down by the noble Lord was this, that where a foreign country imposes a duty on our commodities, we are bound to impose a similar duty on the commodities of that c untry: he recommended a perpetual war of tariffs between countries. To a course of this kind he (the Chancellor of the Exchequer) entertained the most decided objection. It was the duty of every nation to do all in her power to promote the continuance of peace, and the blessings which peace bestowed. By hostile tariffs, a state of complaint, dissatisfaction, and jealousy, was begotten; which, however dexterously it might be softened for a time, must, in the end, give rise to animosity and a dissolution of the ties of amity and friendship. History showed that some of the most disastrous wars had arisen upon commercial subjects —the imposition of duties, and the contests for monopoly — such as the noble Lord recommended. In such a course he could not acquiesce; he protested against the doctrines the noble Lord had laid down; and so far from sharing in the apprehensions he had expressed regarding the present Bill, he recommended it to the House as a measure calculated not only to produce the best financial results, but to promote amity and friendship with the nations with which our trade was carried on.

Mr. BANKES complained that the right hon. Gentleman the Chancellor of the Exchequer had misrepresented the noble Lord the Member for Lynn, into whose mouth he first put a speech which that noble Lord had never delivered, and then addressed himself to the task of replying to it. The right hon. Gentleman would appear to have misconceived and misunderstood every proposition the noble Lord had submitted. But the protectionist party, sitting where they were, were placed in an unfortunate position for opposition, for they could reach but one ear of the Minister, and, as had been facetiously remarked, that ear was stuffed with cotton. The noble Lord had never, as the Chancellor of the Exchequer seemed to suppose, made any such proposition as that all excise duties should be

abolished, and that the revenue should be derived from the customs alone. He had objected to the mode in which the customs were sought to be treated by this Bill; and he had called upon the Government, before they proceeded to show favour to countries which maintained hostile tariffs, to consider whether a better mode of lightening the burdens on this country, and of supplying the necessary wants of our people at a cheap rate, might not be obtained by lowering some of the excise duties. The better and wiser course surely would be to keep up some customs duties, for the purpose of commercial dealing, if for no other reason, and in order that when we came to negotiate on mercantile matters with other nations we might have something in our hands wherewith to barter and make an interchange. This doctrine had been advocated by Mr. Huskisson. The noble Lord had urged it upon the consideration of the Ministers; but the Chancellor of the Exchequer had not considered it worth his while to devote one thought or one observation to it. The right hon. Gentleman had also treated hops very cavalierly. He had in general terms denied the statement of the noble Lord the Member for Lynn; but he had not dislodged him from his position, nor adduced a single reason for disputing the benefit which was sure to result to all classes from the reduction of the duty on hops. He (Mr. Bankes) opposed the reception of the report on this Bill, because he felt convinced that the alterations and modifications which the measure proposed, would prove injurious in a very fatal degree to the interests of the operative classes in this country. He had received authentic intelligence from Manchester, which went to show that the reductions of duty which had been already adopted under the resolutions of that House, had tended to the disadvantage and injury of the working man. A reduction of twopence or threepence a gross had been made in silk hatbands, and it had already led to a reduction of 2*s.* a week, or thereabouts, in the wages of the operative. Again, in the article of that description of silk used in parasols, a reduction of a halfpenny a yard had taken place, which had caused a diminution in the wages of the operative of 2½*d.* a day—that was to say, 15*d.* a week, or 60*s.* per annum. These were but small matters to be sure, but they showed what the general effect of the measure would be. With respect to Canada and the disfavour with which the Canadians viewed these proceedings of the Ministers, he must say he had heard nothing on the subject to contradict or disprove the statements made by the noble Lord the Member for Lynn. No demonstration whatever of approval of the Ministers' policy had been made by the Assembly of Canada. The fact was that a solemn silence appeared to reign through that Assemby, whose members, he verily believed, were full of amazement and discontent at the measures proposed to be adopted in the mother country. Reference had been made in the course of that debate to the price of potatoes in England. He had always inclined to the belief that much unwarrantable alarm had existed on this subject; and he had made inquiries, the result of which justified this impression. He had recently received a letter from a respectable party in Nottingham, who stated that, allured by the representations of coming scarcity in this article of provision which had been made in that House, especially by Ministers, he had been induced to purchase 450 sacks, which he supposed would prove a very profitable speculation; but this anticipation had been completely frustrated; and he found that so far from being a gainer, he would be a loser by the transaction to the amount of 40*l.*, for he found it impossible to get more than 4*d.* a stone for the best kidney potatoes. This did not look very like scarcity. Statements received from Ireland showed that in very many districts of that country the price was not unreasonably high, and that there was then even an inclination to fall. It appeared to be the unhappy destiny of the Ministers "to see the right, and yet pursue the wrong." The right hon. Baronet the Home Secretary had declared his conviction that the quantity of corn which had accumulated in bond in January last might have been then liberated with great benefit to the consumer, and without injury to the producer. Why, then, had it not been liberated? The Ministry had the power to do so in their own hands. They thought, too, that it would have been proper to have called Parliament together in November last; but they had neglected to do so. They had a strong conviction that it would have been a wise proceeding to have opened the ports; but this too they had neglected to do. And yet they were in a position to have done all these things, for it appeared that the protectionist party would have been unable to control them, however desirous

they might be of doing so. Let not that party, therefore, be blamed if evil arose, as it would unquestionably arise, from the sudden influx of an enormous inundation of grain. The hon. Member concluded by expressing his determination to oppose in all their stages the measures of the Government, which he said were viewed with dislike and distrust out of doors. The Ministry might rest assured that there was throughout the country, even in the manufacturing and commercial classes, distaste for the measures of the Government, and a doubt as to their policy.

Mr. HAWES was not prepared on that occasion to follow the hon. Member who had just spoken into a new discussion on the Corn Bill; neither was he prepared to go into the question as to whether they ought to repeal the excise duties, and impose other duties in lieu of them; but he did wish to call the attention of the noble Lord the Member for Lynn to one circumstance. In answer to the hon. Member who had just spoken, he would ask if there were such a distaste of this measure throughout the country as the hon. Member asserted there was, how did it happen that, affecting as the measure did (he meant the Customs duties measure then before them) so materially the commercial and manufacturing interests of the country, no one connected with the commercial or manufacturing interests had risen to support the views of the noble Lord? He inferred from that circumstance, that the mercantile interest did not regard the measure with distaste; but that, on the contrary, they believed it calculated to promote the general trade and the general interest of the country. He might add, that so far as his own experience went, the measure was highly acceptable to the country, and that the only thing unacceptable about it was the delay which it had encountered in that House. The evil effects of that delay could not be overrated. It was all very well to say, that in consequence of the Treasury Order the articles included in the Bill were practically free of duty; but when it was remembered that the parties who gave the bond required by the Treasury were still responsible for the duties, and when the House considered the number of transactions that were daily taking place in reference to those articles, he thought it would appreciate the uneasiness these parties felt when they believed that it was just possible the measure might not pass. Mr. Pitt had been claimed by the noble Lord the Member for Lynn as a friend to protection; but he would mention a circumstance which would show the House whether Mr. Pitt's policy were really in favour of protection or of free trade. Soon after the American war of independence Mr. Pitt introduced a Bill into that House to put the trade of America on the footing of the coasting trade of this country. The Bill, he was sorry to say, was opposed by the liberal party of that day, and lost; but, had it passed, we should long ago have had that state of free trade and free intercourse with America which we were only now struggling to obtain. Mr. Pitt's authority, then, so far as it was worth anything, was decidedly in favour of free trade. In conclusion, he begged to impress upon the House the importance of allowing this measure to pass as rapidly as possible.

Mr. BORTHWICK said, the hon. Member observed that the manufacturing and commercial interests were not represented by any opposition in the House to the proposed measures. Need he remind the hon. Member for Lambeth that the place which the noble Lord (Lord G. Bentinck) near him represented was a commercial town. The noble Lord did not represent an agricultural constituency. But he would venture to say, that the Parliamentary history of this country had shown in neither House of the Legislature an hon. Member who had proved himself so worthy the gratitude and respect of the labouring classes of his fellow countrymen—a gratitude and respect which were freely recognized, as the noble Lord the Member for Lynn. And whether the noble Lord pressed his Motion to a division or not, it must be admitted that the principles upon which it was framed were broad, comprehensive, intelligible, and just. He contended that the principles upon which the present Bill was framed, of buying in the cheapest and selling in the dearest market, however they were applicable to private individuals, were not at all applicable so far as nations were concerned, in which a great variety of important interests were to be consulted. It was the duty of every nation to protect its own productions and industry from foreign competition; and he maintained that to compel the highly-taxed agriculturist of this country to enter into an unfair competition with the cheap labour of other countries, was an injustice which could not be defended. It was to relieve his countrymen from this grievous wrong that the noble Lord the Member for Lynn was di-

recting his efforts. Whether the noble Lord the Member for Lynn divided the House or not, the labouring industry of this country would be his debtor to a very large extent for the stand which he had made in their behalf.

MR. PLUMPTRE, adverting to the charge which had been made against the protectionist party, of having delayed the measures of the Government, said that they were called upon to break down a system under which this country had long flourished; and if, therefore, instead of a few weeks, Parliament had been for the whole Session—nay, for the whole seven years of its duration, employed in discussing the measure, he would have been ready to pronounce the consumption of their time perfectly justifiable. The question was, whether they would sanction a system by which the commerce of this country would be ruined? One of his chief motives for addressing the House was in order to correct a misrepresentation connected with the produce of the county which he had the honour to represent. The Chancellor of the Exchequer, alluding to the subject of hops, said that the home producer would be placed by the Bill in a more favourable position than the foreign grower. He had had an opportunity of looking into the subject, particularly as connected with tithes. He found that in one parish the ordinary charge in lieu of tithes was 15*s.* per acre, and the extraordinary charge 12*s.*—making together 27*s.* per acre. He found also that in a neighbouring parish the ordinary charge was 14*s.* 6*d.*, and the extraordinary 12*s.* He had also received, in answer to a letter addressed by him to one of the largest growers of hops, near Canterbury, a reply stating that for the best soils the ordinary charge was 12*s.*, and the extraordinary charge 14*s.* per acre; and in the inferior soils the ordinary charge 9*s.* or 10*s.*, and the extraordinary charge from 10*s.* to 12*s.* The tithes were equivalent to a charge of 5*s.* per cwt. on hops, which, with other charges, amounted to nearly 20*s.* of certain payments, exclusive of poor rates and other local and indirect taxes, to none of which the foreigner was subject, but which the farmer must pay whether he sold his hops or not. The foreigner ought not to be allowed to import hops without paying a sum equal to these charges. The writer, moreover, stated his conviction that the effect of this measure would be to throw out of plant the culture of many acres in East Kent, the best part of the county for hop growing.

DR. BOWRING said, it had been to him a source of the greatest gratification that the failure of the many attempts which had been made to coerce foreign Governments by a system of restrictions, menaces, and reprisals, had been succeeded by a wiser policy—that of conciliation and free trade. It was far better to welcome foreigners to our ports by inviting imports, than to alienate and repel them by hostile tariffs. The policy of peace was sure in the long run to be successful—and to be permanently and advantageously triumphant. The sagacious and amicable legislation of the present Government had already made its way to the friendly co-operation of many countries, and it would ere long influence all. If we welcomed imports we should force exports—if we bought from foreigners they would be compelled to buy of us. We should create advocates and allies in the countries where now we had only opponents and rivals. We should teach lessons that would everywhere be learned. Our reforms would reform the world. It was gratifying to look round and watch the effect—the already visible effect of the measures of the Ministry. They had found a response more or less audible in every part of the civilized world. That selfish policy which had been supposed to be the groundwork of the whole of our commercial system, was felt to be no longer reconcileable with the well-being—with the prosperity—with the augmented wealth of other nations. He had had the satisfaction of receiving from every quarter of the compass testimonials to the popularity of the right hon. Baronet. It was at last seen that we were giving practical assent to the lessons of political economy, which we had been accused of being willing to teach others, but which we neglected or refused to apply to ourselves. He would ask leave to read to the House a passage from an interesting and eloquent letter he had that day received from Elihu Burritt, than whom no man had been more instrumental in encouraging and strengthening the pacific spirit—the cultivation of friendly relations between his country and ours:—

"When (he says) free trade shall be ushered in to sweep from the face of the earth the mountainous ranges of prejudice and nationality, which have made enemies of nations, there will be no questions of disputed territories to embitter them, no narrow-minded policy to feed international jealousy, or dam the currents of fraternal and commercial intercourse. The smallest nation

may then say—the whole boundless earth is ours, where we may buy, sell, and trade in the commerce of good-will, without any to molest or make us afraid. If by free trade, England should lose Oregon, and even Canada, she would gain in the United States what would be worth to her a dozen of either of those countries. For one, I regard free trade as the commercial harbinger of the millennium which shall beat all swords into ploughshares, and spears into pruning hooks. Even in anticipation of the partial triumph of this gospel economy, in the opening of your ports to corn, and other productions of our great West, the warlike people of that region are even now fulfilling that blessed prophecy in a degree—they are breaking their swords into ploughshares, and driving those ploughshares deep into their Eden soil, inspired with the hope of feeding the British. I devoutly hope that the coming seed time, in that vast region of unequalled fertility, will be a better seed time of feelings towards Great Britain. I cannot find words to express my sense of the importance to humanity at large, of annexing that rich universe of land to your crowded shores, by opening your ports to its produce. The moral influence of such a measure on the labouring people of both countries cannot be meted out in words: there are thousands and thousands in that region of our country, living in the rudest state of civilization with regard to every article of furniture, dress, and the other comforts and elegancies known to a cultivated society, while at the same time they are surrounded with breastworks of golden corn and wheat. On the other hand, are there not thousands and thousands of ill-fed labourers in your country, pining amid fabrics that would adorn princes—articles of clothing and comfort, which, if exchanged for food, would fill our great West with the paradise of comfortable homes, transformed from the floorless log cabins of Western wheat-growers. What an effect it would have on the morals of your manufacturing population, if the fountains of American food should be broken up to feed them from our granaries!"

The noble Lord (Lord G. Bentinck) had represented the project of free-trade principles as likely to alienate the Canadian provinces. But they knew their interests far better, and began to feel that emancipation from all commercial fetters was calculated far more to serve them than any restriction upon their trade. Had he read the proceedings of the public meeting at Montreal, held so lately as the 9th of last month? Many resolutions were vehemently debated—some were rejected; but what was the resolution passed by an overwhelming majority? It was this:—

"Moved by Mr. Glass, seconded by Mr. Holton—That, in order to render the application of free-trade principles thoroughly effectual, it is necessary to embrace them in all their comprehensiveness in this Colony; that protection and regulation in every form should be repudiated, and the commerce of the Colony approximated as nearly to perfect freedom as the exigencies of the public revenue will permit."

Could the friends of free trade desire a stronger testimony? Could the principles of free trade be more clearly laid down and recognized? No! And we were willing, while we claimed for ourselves the right to buy in the cheapest, and to sell in the dearest market, to allow the same privilege to our fellow countrymen, wherever they were placed. Recognizing no monopolies—repudiating all differential duties—we wished not to impose monopolies on others, or to require preferences for ourselves or our Colonies. We enact no reservations. We demanded freedom, absolute freedom, for labour and capital. The good work was everywhere progressing. France, so long the model of all that is narrow and restrictive—France, that had carried the doctrines of self-dependence, and abhorrence of free-trade principles, to the extreme—was already beginning to feel the absurdity of her legislation, and to agitate for its change. The Vine-growers' Committee of the south were again in a state of active exertion. Paris was creating a League for the emancipation of commerce, whose influence was already making its way to the Chambers. The Tariff which we were now discussing answered, and answered most emphatically, those who told us that before administering to others, we should heal our own diseases. That is our immediate mission—that is our present occupation. We are giving the best evidence of the sincerity of our purposes. We leave the reform of the faults of other nations, not to our representatives, not to our negotiations, but to a sense of the interests of those whom hostile tariffs were intended to delude and to pillage. The deluded and the pillaged consumer will awake, ere long, to recognize how much he has been betrayed; and there is no country where the awakening will be more complete than in France. In Germany the reaction has already begun. The legislation upon which we were entering has already enabled Prussia to resist the demands for increased duties upon British manufactures, which has come from the Southern States of the Zollverein. The doctrines of List—one of the most mischievous and untrustworthy of men—are beginning to be exploded, though an immense circulation had been given to them by the manufacturers of Germany. Under the names of patriotism and nationality, the German people have been cozened into a system which, after all, is but a robbery on a large scale, disguised under false names. No doubt the earlier adoption of free-trade principles would have prevented much of the absurd and hostile legislation

of the Zollverein. If the act done cannot be repaired, at all events its progress will be arrested now. Italy is also moving in the right direction; the kingdom of the Two Sicilies, after having been long the victim of the protective system, to use the words of a high authority whose report he (Dr. Bowring) was now reading, is already entering upon commercial treaties with France, England, Austria, Sardinia, and other States, and, encouraged by the results of liberal legislation, is moving boldly forward in that direction. The Papal Government, which has pushed protection and prohibition to their very extremes, has at last acknowledged that these are "economical heresies," under whose influence its commerce has perished; its manufactures have not prospered, and the steps it has taken in the way of liberal commercial legislation have already been rewarded by an increase of revenue, and an obvious augmentation of the public prosperity. The Sardinian Government is also making progress. It cherished with pertinacity the protective system; but that system failed. Modifications have been introduced, and one has been the parent of another. Every tendency towards commercial liberty has been fruitful of good—has strengthened the desire for more facilities to trade—for a wider field of intercourse—and, to use the words of an Italian writer in an essay which has just appeared at Turin—

"The time is now matured for important commercial changes; Sir Robert Peel will succeed. The first nation in the world must act upon all others; and her policy, which is already bringing the various Italian Governments into co-operation, will, through the numerous channels of her political and social influences—by successful modifications of hostile tariffs—create a general tendency towards, and prepare a not distant triumph for, the universal emancipation of the world."

Even in Spain a ray of hope is visible. The Report of our Import Duties' Committee has been translated into Spanish. The proceedings of the League have there attracted much attention. The newspapers are beginning to enlighten the Spanish mind on these important questions. In a word, whichever way we look, the signs of the times are encouraging. The right hon. Baronet (Sir R. Peel) has found much to invite him forward; and while so proceeding forward, to remove every impediment, every difficulty in the way of the freest intercourse, he will be hailed, in the proportion to his merits, as the benefactor of his country and of mankind.

COLONEL SIBTHORP thought that the House was fully entitled to the foreign experience of the hon. and learned Member who had just sat down, seeing that he had been paid 13,500*l.* for his services on various roving commissions. The hon. and learned Member had called the right hon. Baronet the most popular man in Europe: the Lord deliver him from such popularity! Perhaps if the right hon. Baronet would again avail himself of the hon. and learned Member's services, the latter would consider him the most popular man in England. The hon. and learned Gentleman's language was, "Give us the friendship of France, Tuscany, Spain, and Italy, and we should care nothing about our own people." The hon. and learned Gentleman was so enamoured with the conduct of the right hon. Baronet, that he had better at once come over to the Ministerial side of the House. Whatever might be the immediate result of the Government measure in the end, he was sure in the end the truth would prevail, and the country would know who were their friends. The right hon. Baronet would have cause, ere long, to repent of the course he had adopted. All he would say was, that if he wanted to find an instance of apostacy, hypocrisy, and perfidy, he would point out the right hon. Baronet. He should, from a sense of duty, support the Amendment of the noble Lord.

MR. HENLEY censured the conduct of the Government in repealing taxes in deference to agitation. It was only those who made a noise about a tax who got it repealed. Turnpike-gates were not suppressed in Wales till Rebecca came; the gentlemen of the League had kicked up a row, and had got their object. The agriculturists wished for the repeal of the malt tax; but they repressed agitation instead of encouraging it, and, consequently, got no relief. This was not treating the agriculturists quite fairly. He would not enter into the great question whether customs or excise duties ought to be taken off; but when the Chancellor of the Exchequer said that they ought to be taken off equally, he begged to say that was not the course pursued; a much larger amount of customs than excise duties had always been removed: if excise duties were taken off they must do away with a great deal of patronage; but by repealing customs duties they were always told that not a single custom-house officer less would be required, and that was the reason why the latter duties were taken off, and not the former. To all Governments it was as natural as

eating their breakfast to keep up patronage —it was a part of the system and mystery of Government. He did not impute it in particular to the present Government; it was common to all Governments. There was another matter at which he could not help looking with apprehension. At present the taxation of this country was spread over a vast surface: they had learnt by experience that indirect taxation had run its limits, and they had had some experience also that direct taxation was in nearly the same state; the property tax was not now nearly so productive as at first; but it was evidently the intention of the Government to reduce the revenue to as few heads as possible, and he did not deny that some expense of collection might thereby be saved; but he recollected the agitation against the income tax, then producing 1,000,000*l.* The Minister said that he could not do without it; but the people would not pay it, and the Minister did without it. Now, when the mass of the revenue was collected from a few heads of taxation only, they might have a run against one of those heads, and some fine morning suddenly find themselves short of the money to pay the national creditors. The hon. and learned Doctor (Bowring) had said that the right hon. Baronet at the head of the Government was the most popular man in Europe; it was possible that his present measures tended to make him so, as they were more calculated to benefit foreigners than Englishmen; but, for his own part, he should prefer that the right hon. Baronet was the most popular man in England.

Mr. HUDSON, in addressing a few words on the subject of this measure, said, in reference to the silk question, that the mere consumption of a greater amount of the raw material was not the proper test of the state of those employed in that manufacture; but that the real test was, whether those employed were better paid for their labour. He contended that they were worse paid than previously. Again, in regard to what the Government was doing with timber, it would have been preferable to have reduced the excise duty on bricks; for, in the one case, the advantage went into the pockets of the foreigner, whilst, in the latter case, the benefit would be on the side of their own countrymen. He and his Friends around him objected to these measures of the Government because they were of an un-English character. They put, too, 10, and, in some instances, 15 per cent of protection on manufactures, whilst they deprived the land of all protection by their Corn Law Repeal Bill—at least, within a very short period; and, though he might be met with the argument that this was a question of revenue, he could not see why the revenue argument should not be equally applied to the produce of the land as well as of manufactures. With these views, if the noble Lord pressed his Amendment, he would divide with him against a measure which he considered was unjust, unwise, impolitic, and dangerous.

Amendment, by leave, withdrawn.

Amendment read a second time.

Bill ordered to be read a third time.

VISCOUNT HARDINGE'S ANNUITY BILL.

House in Committee on Viscount Hardinge's Annuity Bill. On the 1st Clause,

Sir A. L. HAY moved that the annuity to Viscount Hardinge be payable to him, during his life, irrespective of any grant by the East India Company.

Sir R. PEEL trusted that on such a Bill as this there would be general unanimity exhibited. The Government had proposed that an annuity of 3,000*l.* should be paid to Viscount Hardinge; the East India Company voluntarily, and without any communication with the Government, had determined to give to his noble Friend an annuity of 5,000*l.* The Government, acting in deference to the principle laid down by the House of Commons, proposed that the 3,000*l.* a year should not be received along with the larger grant.

Mr. HUME conceived that the principle on which the House acted was entirely erroneous. He had no objection to the House bestowing Peerages for life on deserving persons; but he did not see why pensions should be given to their descendants to support those titles. Why should the House, having once granted the money, propose to stop their hands because the East India Company came forward to give a grant also?

Mr. HENLEY said, it was a strange measure of justice that, because the East India Company did one thing, the House should do another. He thought, instead of granting a pension for a limited period to Viscount Hardinge, that a sum of money should be laid out for the purchase of land, which would cost no more to the country; whilst it would be a permanent advantage to the noble Lord and his family.

Sir A. L. HAY said, the Bill as brought

into the House contained a clause declaring that none of the money to be granted to Viscount Hardinge should be allowed to him, because the East India Company had acted liberally towards him. He thought nothing could be greater than the merits of that distinguished individual, which deserved every reward the House could confer on him.

MR. HOGG begged the hon. Gentleman not to suppose that he individually, or the House collectively, had anything to do with the grant of the East India Company. The grant was complete as it stood, and required no sanction from the Parliament. It was only necessary to have the sanction of the Crown, of the First Minister of the Crown, or of that Minister more immediately connected with India. The clause was introduced to restrict the operation of a prohibitory clause, which enacted that the Viscount Hardinge should not receive any addition to his salary as Governor General of India.

MR. WILLIAMS said, he should certainly oppose the Motion of the hon. and gallant Gentleman. He would make no objection to the Bill before the House, but he should offer his decided opposition to the Amendment. He thought such Peerages ought to be granted for life, and also that the House of Commons ought to come to a decision to withhold any grants to future generations.

COLONEL SIBTHORP agreed fully with the hon. and gallant Officer opposite. Considering the services of the noble Lord, the pension was a very small one, and he was sorry to see the mean disposition shown by the House of Commons in attempting to hold back. The hon. Member for Coventry and his party were very fond of preaching economy, but they did not always practise what they preached. He was sorry that the pension was not more, and he was sure no Englishman would be found to object to it.

MR. CURTEIS said, he was an Englishman who would vote against the Amendment. When they knew that the Prime Minister was connected with the noble Lord by ties of the closest intimacy, he could not, without the deepest regret, perceive an attempt made in the House of Commons to urge the right hon. Baronet to go farther than he thought necessary. He supposed the hon. and gallant Officer was actuated by a certain *esprit de corps* in bringing forward the matter, but when the First Lord of the Treasury, who was, besides, the intimate private friend of the noble Lord, proposed what he considered to be a sufficient grant, he thought it was an outrageous thing to endeavour to increase it.

SIR ROBERT PEEL would wish the House exactly to understand the way in which the question stood. He could not take credit to himself at all for having made this proposition on account of the distress of the country. This country was undoubtedly rich enough to grant any amount of pension that might be considered advisable; but, looking back to the precedents when distinguished general officers had performed those services for which Peerages had been conferred, he found that the usual rule was to grant a pension of 2,000*l.* a year with the Peerage. When the Duke of Wellington was made a Viscount the pension attached was, he thought, 2,000*l.* for two lives. Again, when Lord Combermere was made a Viscount, some objection was raised to giving a pension at the same time, as it was alleged that his private circumstances were such as did not require any pecuniary provision. An explanation was afterwards made to the effect that his private fortune was not so large as had been supposed, and a pension of 2,000*l.* a year was then attached. He thought the general rule was to attach to the Peerage a pension of 2,000*l.* a year. In some cases this pension was permanently attached to the Peerage; but in others, and, he believed, the greater number of instances, the pension was granted for three lives. Under these circumstances, Her Majesty's Government made the proposal to attach a pension of 3,000*l.* a year to Lord Hardinge's title, to continue for three lives; and a pension of 2,000*l.* a year, for the same duration, to Lord Gough. Subsequently, however, the East India Company signified to the Crown that they wished to reward, by a personal grant, the services which Lord Gough and Lord Hardinge had performed. The consent of the Crown was necessary for the validity of that Act; and the intervention of Parliament was also necessary, because, by the existing law, Lord Hardinge could not receive the pension of 5,000*l.* a year until he resigned his office of Governor General of India. The East India Company wished to make their pension take effect immediately, and, therefore, as long as his noble Friend retained the office of Governor General of India, he would receive his pension and draw his salary in addition. There-

fore, looking to the consent of the Crown being given to the provision of 5,000*l.* by the East India Company, and looking also to what other distinguished men received on similar occasions, it did appear to him that if they should provide a pension of 3,000*l.* a year concurrently with his salary as Governor General of India, and the grant of the India Company, it would be a much larger remuneration than was usual. On the retirement of a Minister of the Crown, however distinguished his services might be, his pension never exceeded 2,000*l.* a year; and even for that sum it was necessary that his circumstances should require the grant. From all these considerations, he did think that, giving credit to the East India Company, which was a great public body, and considering that both the Crown and the Parliament were required to give their assent to the pension proposed to be conferred upon his noble Friend, it was on the whole better that the House should agree to the clause as it now stood.

SIR A. L. HAY referred to the instances of Lord Beresford, Lord Lynedoch, and Lord Combermere, and called upon the House of Commons, in gratitude to services unequalled, to settle their annuity for three lives.

The clause agreed to.

House resumed. Bill to be reported.

House adjourned at half past One o'clock.

HOUSE OF LORDS,

Tuesday, May 19, 1846.

MINUTES.] PUBLIC BILLS.—1° Customs Duties. *Reported.* Election Notices (Ireland); Insolvent Debtors Act Amendment.

3° and passed. Western Australia.

PETITIONS PRESENTED. From Guardians of the Lewes Union, for Repeal of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act, so far as respects the Building and Maintaining County Lunatic Asylums.—By the Duke of Richmond and Earl Warwick, from Tamworth Heathside, and a great number of other places, in favour of the Corn Laws.—From Turriff, and several other places, for Protection of the Agricultural Interest.—From several Charitable Institutions, against the Charitable Trusts Bill.—By Lord Campbell, from Elie, and several other places, praying that a Bill may be passed for compensating Proprietors of Lands for the Purchase of Sites for Free Churches (Scotland).—From St. Clement Danes, and St. Martin-in-the-Fields, for the Prevention of Sunday Trading.—By the Bishop of St. David's, from Cardigan, praying that Means may be provided for extending Education to the Poorer Classes in Wales.

EDUCATION IN WALES.

The BISHOP of ST. DAVID'S presented a petition from the borough of Cardigan, the prayer of which he supported. It was in favour of the education of the children of the poor in Wales in the English language, and also praying for their mental, moral, religious, and industrial training. The right rev. Prelate added, that at present there existed in Wales a pressing want of education with a most scanty means of obtaining it; and he suggested that the whole question, as far as the Government was concerned, was, what power they had to supply that deficiency. He (the Bishop of St. David's) was happy to hear that an inquiry had been set on foot by the Government at the instance of an hon. Gentleman in another place; but in his opinion inquiry was superfluous, because there could be no doubt of the facts. The only question, as he had said, was, what power existed in the Government to supply the defect which all acknowledged to exist in that Principality. He believed they had had sufficient experience to know there was no hope whatever of accomplishing what they all so anxiously desired—namely, the founding of some good and extensive measure for the education of the people of Wales; but, nevertheless, he hoped the inquiry might terminate in some substantial benefit. He believed that if the Government had it not in their power to do all these petitioners desired, they yet had it in their power to do a great deal that would be highly beneficial to that country; but he did not wish them, under present circumstances, to attempt to do everything. He thought it advisable that they should at present confine themselves to the attempt to draw forth the energies and resources of the country with reference to education; and that they should act on the principle of eliciting and meeting the advances of the people. In those places, however, where there was such an utter deficiency of means that nothing could be done without the assistance of the Government, he thought they ought to furnish some immediate and pecuniary assistance. He did not believe that it was in the power of any Government, however strong it might be, to do all that the petitioners appeared to suppose it possible for them to accomplish. He did not think it would be possible at once to produce a change in the language generally spoken in Wales. He was aware a strong opinion had been expressed elsewhere that all that was required in Wales was English schoolmasters to root out the language of the country; but his experience in Wales convinced him that this was an incorrect representation. In many districts of Wales English schoolmasters had been established

for a considerable time; but the Welch language continued the ordinary language of the people, and the knowledge of the English language among the children of the poor was extremely scanty; and their use of it out of school next to nothing. He did feel, however, that this was a subject which called for the active interposition of the Government. It was quite notorious in that part of the country with which he was more particularly connected, that if the means of education had been more extensively employed some time ago, and pains taken to improve the moral and intellectual condition of the country, there would have been no need whatever for the imposition of that burden under which they were at present labouring; namely, the soldiers and the police which had been found necessary to maintain the tranquillity of the country. He must observe, also, that although these soldiers and police were extremely useful in their way, and served to protect the country from a variety of evils, there were yet some evils from which they afforded no protection whatever. They might protect the public tranquillity, but he was sure they proved no safeguard of public morality. On the contrary, the presence of these people only made the work of education more needful and more difficult, while they were consuming and absorbing the sources which might be applied to that desirable end; and he would, therefore, ask their Lordships whether they would prefer that Wales should be protected by soldiers and policemen rather than by the less expensive and more efficient means of a body of schoolmasters.

The MARQUESS of LANSDOWNE expressed his entire concurrence in the important suggestions thrown out by the right rev. Prelate. He considered, however, that they had upon the Table of Parliament, at that moment, the most ample means of arriving at a correct judgment on this subject. It appeared from the Report of the Commissioners appointed two years ago to inquire into the lawless proceedings in Wales connected with the Rebecca riots, that in the districts where those excesses prevailed there was an entire want of anything like a good system of education. He believed that, since the Parliamentary grant for educational purposes, there had been a regularly increasing demand upon the Government for assistance towards the establishment of schools; and although the number of school inspectors had been recently increased by Government, there was not now a sufficient number to exercise an efficient inspection over the schools already established. He thought that some increased efforts ought to be made by Parliament, for the extension of education; but he was not prepared to say that a different principle from that adopted in England ought to be applied to Wales. He hoped that, whatever Parliamentary grants might be made for educational purposes, the principle of local exertion would never be abandoned.

LORD BROUGHAM was glad that the attention of the Government had been called to this important subject; for that portion of the United Kingdom to which the right rev. Prelate had referred, peculiarly required assistance on a liberal sca e from the funds at the disposal of the Government for the promotion of education. He was happy to find that there was a universal concurrence in the principle—a general principle only to be relaxed as occasion, or necessity, or local circumstances might require—that no grant ought to be made towards any local scheme without requiring that a certain proportion of the necessary funds should be contributed in the locality. He was glad to find this recommendation of the Educational Commissioners sanctioned by such high authority.

The DUKE of BUCCLEUCH, with reference to the observations of the noble Marquess (Marquess of Lansdowne), said he was happy to say the number of the schools in the country were increasing so rapidly, that it was quite true it was not at present in the power of the Government inspectors to visit them as frequently as was desirable; but the subject was under the consideration of the Educational Committee of the Privy Council, and he hoped that measures for increasing their number and efficiency would be speedily adopted.

Petition to lie on the Table.

CUSTOMS DUTIES BILL.

The DUKE of BUCCLEUCH moved that the Bill be read 1ª.

The LORD CHANCELLOR then put the question, when

The DUKE of RICHMOND said, he could not allow this Bill to pass—to be read a first time—without expressing his opinion that this measure was positively adding insult to injury. Their Lordships were now called upon to consider two Bills for depriving the agricultural interest of

protection; and if they looked at the Votes of the House of Commons, they would find that those measures, which were called remedial measures, and which were introduced simultaneously with the Corn Bill, but from which he did not anticipate much benefit, had made very little progress. He thought it most unfair to the agricultural interest that these two measures, attacking them, should have been brought into their Lordships' House before the other measures to which he referred had passed a second reading in the House of Commons. The only remedial measures from which he anticipated any benefit at all, was that under that which it was proposed to lend money for the improvement of land. He thought that such a measure might, to a certain extent, be of some value; but he considered this Bill and the Corn Bill to be as bad measures as could possibly have been introduced. This Bill was inconsistent with the declaration of the Ministers themselves. They were told that the Ministers wished to establish free trade; but he would ask if there was a single line in this Bill for the establishment of free trade? It was, certainly, a free-trade measure with reference to the agriculturists and the landed interest; but they would find, on looking into the Bill, that there was to be no reduction of duty upon our cottons in India. It was true the duties on some manufactures were to be reduced, but that was not free trade. He objected to free trade altogether; and, though the Minister might propose to take away all protection from the agricultural interest, he (the Duke of Richmond) was not prepared, because the Minister robbed the agricultural interest, to turn robber himself, and, by establishing free trade, to throw out of employment the great body of the operatives of this country. He considered that this was a most unjust measure; that it would throw out of employment a large body of silk weavers in this country; and that it would convert Spitalfields into a mass of pauperism. Many parts of this Bill were extremely obnoxious. He called upon their Lordships to remember that, though the Members of the Government had in their speeches advocated free trade, they had not carried out free-trade principles to the utmost. There was nothing in this Bill to destroy differential duties. If they allowed corn to come into this country from the United States duty free, to the great injury of their Canadian provinces, he asked whether, on the principles of free trade, they ought not to permit the Canadians to buy their cotton in the cheapest market? If they did this, the coarse cottons of this country would no longer be consumed in Canada, which now took from us a greater amount of this description of manufactures than the whole of the United States. The Americans would then beat us out of the Canadian markets with their coarse cottons, as they had done in the South American markets, and as they were near doing in China, where they ran our manufactures very close. One of the great leaders of the League, a cotton manufacturer in Cheshire, Mr. Greg, had expressed his opinion, that before long he should see the coarser cottons of America competing effectually with our coarser cottons in Manchester itself. He (the Duke of Richmond) entered his protest against this Bill, as he had already protested against the Corn Bill. He must again repeat, that he regretted these Bills had been sent up unaccompanied by what were called the remedial measures to which he had before alluded. Sir R. Peel had declared his intention to do something to relieve the agriculturists from highway rates, and the burden of medical relief; but this was not to be done by a Bill; it was to be by an annual vote in Parliament. Why had not Sir R. Peel given the landed interest security by a Bill, instead of by Resolutions? For if the right hon. Baronet left office, and he was succeeded by the noble Lords on his right (the Opposition), they might not be able to maintain it, and then the League would come in, and they would not allow them the penny per acre which Sir R. Peel proposed to give to the agricultural interest.

Lord MONTEAGLE said, these preliminary discussions were very inconvenient; but he could not allow the observations of his noble Friend who has just sat down to pass as conclusive. The noble Duke complained that the measure read a first time last night established a system of free trade, and that the one just brought up was not a measure of free trade. The noble Duke contended, therefore, that there was a difference between the two measures of the Government as they affected commerce and agriculture. He could not acquiesce in one part of the noble Duke's objection to the measure, as it would affect the finances of the country. He denied that the principles of free trade required, on the part of their Lordships, or of any abstract reasoner, a sacrifice of the revenue duties of the country. The principles of free trade demanded the sa-

crifice of protection, but they were not at all inconsistent with the maintenance of revenue duties on those articles and in that manner which rendered them least burdensome to the people. The principle which he contended for was, that when they put their hands into the pockets of the people, they should do so in order to obtain, at the least possible expense to the people, that amount of revenue which the public service required; and he could not agree to the statement that in the maintenance of the revenue duties there was any affirmation of, or opposition to, the principles of free trade.

LORD BEAUMONT thought, that the course which his noble Friend on the cross benches (the Duke of Richmond) had taken was not only consistent, but necessary. The noble Duke had placed the case in this way. He objected to the Bill which they had read a first time last night. He said, that it was opposed to the principle of protection, and therefore he was opposed to it; and in speaking of the Bill then before the House, he had remarked that it was inconsistent with the principle of the former Bill, inasmuch as the principle of protection was retained. Whatever his noble Friend might have thought of the Bill, he thought that their Lordships ought at any rate to maintain a character for consistency, so far as that, if in the first Bill they agreed to an abandonment of the principle of protection, they ought not in the second Bill to introduce a contrary principle. It was in his (Lord Beaumont's) opinion absolutely necessary that the Bill before them should be delayed until they had given the first Bill (the Corn Importation Bill) a full consideration, in order that they might know how far the second Bill could be reconciled to the first Bill, and thus judge of the degree of consistency between the two measures. He hoped that his noble Friend (Lord Monteagle) would act up to the principles he had advocated in his speech, and consider the second Bill solely on the principle of revenue duties; and if he did so he would agree to some of the objections urged by the noble Duke on the cross benches, for he would find duties retained in the Bill with respect to the trade of the Colonies, and to the silk trade, which had been looked upon as protection duties. He hoped, therefore, that he would regard all the articles enumerated in the second Bill solely with a view to the maintenance of revenue duties, and not with respect to the principle of free trade and protection. He would assure his noble Friend, that the interpretation which was put upon free trade by the country was that which was put upon it by the Anti-Corn-Law League, namely, the total abolition of duties. Those who now opposed the cry of free trade would be found perhaps, when protection was taken away from one interest, ready to join in that unfortunate cry; and they might rely upon it, that the Custom House itself might not long survive the bonded warehouses. His noble Friend on the cross benches had spoken of free trade in the sense in which it was understood out of doors; and he could assure them, that in agreeing to that cry of free trade, they would run the risk of seeing the customs duties assailed at a future period.

LORD BROUGHAM felt that no advantage could result from anticipating the discussion of this Bill, for there was no doubt that it would be discussed when the Corn Bill was before them; but he could not allow this discussion to close without protesting against the idea that it was an impeachment of the principles of free trade to maintain duties for the purpose of revenue. There was no ground for such a supposition in proposing to take the duty off corn, the principal food of the people.

EARL GREY agreed with the noble and learned Lord that this was an inconvenient period for the discussion of the Bill, and he hoped that when it was proposed for a second reading, when it would no doubt be fully discussed, the Government would be prepared to state the grounds upon which they had introduced a Bill proposing to do so much, and had not introduced a measure to do more. He agreed with some of the observations made by the noble Duke on the cross benches; but although he did not look upon it as anything like free trade, yet he would accept it as an instalment of free trade. He had not changed the opinions which he had maintained ever since he came into Parliament; he was against all protection to all kinds of interests. He wished to see duties levied for revenue, and for revenue only. He was prepared—and he was conscious the country was prepared—for a general reform of our commercial system, in order that there might be unrestricted liberty afforded to industry; and that was a system the advantages of which would be recognised, if it were once adopted, by both producers and consumers. The noble Duke on the cross benches re-

ferred to Canada, and stated that the Canadians were not placed on equal terms with the people of the United States, if they were compelled to compete with them in our markets, and were not allowed to obtain the cheap coarse cotton fabrics of America. Now, he (Earl Grey) would state, on behalf of the great and intelligent body of the manufacturers of this kingdom, that they were willing and prepared to give up all protection, for they did not depend upon protection for their success, but upon their enterprise and energy and skill, and that as they wished to buy corn where it was cheapest, so they did not expect that the Canadians should be compelled by a differential duty to give the preference to their cottons. If they applied their skill and capital to the manufacture of the superior descriptions of cotton, and the Americans, from the cheapness of cotton and other facilities, were able to manufacture coarse cotton cheaper, they might both advantageously employ themselves.

Lord ASHBURTON considered the measures which had been introduced to their Lordships' notice on that and on the preceding day, of vital importance—he meant, of course, the Bill respecting the Corn Laws and the Tariff, which they were now discussing; and he thought it was proper that they should have before them the entire of that new system, and see the whole produce of that new light which had suddenly dawned upon the Government. Whether these measures were for good or for evil—whether they would bring round such an extraordinary state of prosperity as his noble Friend opposite seemed to anticipate, or whether they would be essentially detrimental to all the industrial classes of the community, as he was inclined to think, it was of the highest importance, and every way becoming in their Lordships, that these measures should receive the greatest possible attention. He did not find fault with any noble Lord for inviting a discussion even upon the first stage of such measures. From first to last their Lordships must be desirous of having all the light possible thrown upon subjects of such immense consequence. As for the definition of his noble Friend opposite (Lord Monteagle), he did not think much of it. He agreed with his noble Friend in thinking it a question of protection or no-protection. He did not approve of that tricky, shuffling sort of definition, which was not very intelligible or distinct, and which was not generally accepted in the complicated sense in which his noble Friend had used it. It was easy to understand the views of the noble Earl (Grey), who was quite a purist—whose free-trade opinions were free from a tinge of protection. He confessed he was at a loss to understand the policy of the Government. They had restrained the German Zollverein and the French from exporting their produce into this country—they had for years kept a system of restriction; and upon what experience were they now about to abandon it? They had incurred immense expense and risk—they had engaged in heavy and expensive wars for the purpose of maintaining their Colonies—they had insisted, at the loss of much blood and treasure, on protecting their Colonies by giving a preference to their produce; and, on the other hand, providing that our manufactures should have a preference by our Colonies; but now it seemed there was to be no preference whatever. Why keep the Colonies at all? Why incur all this enormous expense? Not to benefit themselves, but to benefit the whole world. You will have the charge, they the advantage. He repeated, this was a system perfectly new and unusual; and he very much doubted whether those manufacturers, of whom his noble Friend entertained such great and magnanimous feelings, would take such comprehensive and disinterested views as his noble Friend imagined. He (Lord Ashburton) thought their opinions would be more tradesmanlike, and, notwithstanding the interest they evinced in commercial reform, would, when they found no preference given to their fabrics, even in the Colonies, over American goods, alter their opinions, and begin to see the value of protection. The coarser description of cotton goods, which were manufactured in the United States, would, in the event of perfect free trade, speedily come into competition with ours in the Canadian market, and our manufacturers would find the case very different in respect to this class of goods, with the finer fabrics, which were consumed by a higher and smaller class only. Some time ago there was a meeting at Manchester—a free-trade meeting—and a Manchester man, in urging the free-trade doctrines, said, there was the Macclesfield silk weaver who would have no objection to the introduction of foreign silk duty free; but Macclesfield manufacturers who were present, though quite approving of free trade in any other article, begged to be ex-

cused as far as silk was concerned. In short, these free-trade theories, though people might give a general approval of them, they would, when it came to their own case, be quite ready to dissent from, and, in that respect, be stern protectionists. They might as well expect that the Newcastle coalowners would be willing to have free importation of fuel there, as that the manufacturers would be willing to have a free importation of foreign goods. The Government had brought in two measures: one, the Corn Bill to affect agriculture; the other, the Tariff to apply to commerce. Supposing both interests to be equally affected by the respective measures, they would, after all, be only equally injured. As to the Tariff being any compensation to the farmer, it was no more a compensation to him, than to the crew of a foundering ship to be told that their neighbours in another ship, which had struck against a rock, were going down also.

The EARL of DALHOUSIE agreed with every noble Lord who had spoken, that it was inconvenient and unusual to enter into the discussion of these measures at present; but, unlike them, would act up to his belief. But he could not permit the sentiments which had been uttered to go forth without at the same time stating, that if these assertions had not been contradicted—if these opinions had not been controverted—it was not from any unwillingness to engage in argument, but merely because the Government did not consider this the proper stage for discussion. When the proper time arrived, the Government would be fully prepared to state the reasons which had induced them to bring these measures before Parliament; and he also stated that they would be able to show to their Lordships good grounds for asking them for their ready and unqualified support.

The DUKE of RICHMOND again rose and said: My Lords, my noble Friend who has just sat down, says it is unusual to enter into a discussion on a subject of this kind in the present stage of the Bill; but I must remind him, without in any manner wishing to make a personal attack, that it is also "unusual"—most unusual—for a Government to change their opinions so suddenly on great questions of public policy—and for the Government of one year to vote and argue against free trade, and the same Government in the following year to vote for and argue and introduce a free-trade measure. If the Government will pursue so unusual a course, particularly without appealing to the country — although the Members of the other House were returned without the sense of the electors having been taken on this most important principle—I say we are perfectly justified—under such extraordinary circumstances, in taking the unusual course of objecting to the first reading of the Bill. I could not permit the Bill to receive the first reading, entertaining the strong opinions I do, without recording my protest against it. I am willing and anxious— [A Noble LORD: Spoke.] I will not be prevented from delivering my opinions on this most important subject—I am much too old a man to be put down in that way. I say that the principle of this Bill is contrary to the principle of the other measure—the one is a free-trade measure, and the other proposes only partial free trade. But my objection is to the principle of both. I wish to maintain protection to British industry. I wish to maintain protection, because I think on the preservation of that principle depends the happiness, the welfare, and the prosperity of all classes of my fellow subjects.

The EARL of DALHOUSIE explained, that he did not mean to say the noble Duke had not a perfect right to oppose the first stage of the Bill.

The EARL of HADDINGTON said, there could not be the slightest doubt that his noble Friend on the cross bench exercised his right, as a Peer of Parliament, in entering his protest against a Bill upon the Motion being made for the first reading; nor did he understand his noble Friend behind him to blame for having so done; but his noble Friend spoke of that as an inconvenient time for discussing the measure, because it was, as he said, an unusual course. He entirely concurred in that opinion of his noble Friend, and without following the example that had been set by several noble Lords, each of whom had started three or four different points of discussion, he would merely say that it was not correct to assert that the present Government had ever been determined enemies to free trade.

Bill read a first time.

CONVICTS IN AUSTRALIA.

EARL GREY begged to ask the noble Lord (Lord Lyttelton) whether any measures had been taken for establishing a new Colony to be called North Australia, which, it appeared from the Papers before the House, was to be constituted almost exclu-

sively of persons who had undergone the sentence of transportation, and who were called emancipists.

LORD LYTTELTON said, the scheme had already been carried out to a great degree, and that all the necessary proceedings, so far as they depended upon Her Majesty's Government, had been taken. It would not be convenient to enter upon an irregular discussion of this measure; but he must be permitted to say he was surprised at his noble Friend (Earl Grey) having brought the subject forward at so late a period, because he must have seen from the Papers before the House what were the intentions of Her Majesty's Government. As to this new Colony, it was to be a new settlement within the boundary of New South Wales, in the north of Australia. It was not, necessarily, to be occupied entirely, or even at all, by emancipists. It was certainly intended to ameliorate the state of those convicts who had gone through their punishment in Van Diemen's Land, where there was no demand for them, in consequence of which many of this unfortunate class were there entirely destitute. These persons, by various methods, would have facilities afforded of proceeding to this new settlement; and it was also intended that facilities should be given to the poorer classes in this country to proceed there; also to prisoners from Pentonville and Parkhurst. This was the means held out for relieving Van Diemen's Land of the surplus convict population.

EARL GREY intimated that he should bring the subject forward again at a future period.

House adjourned.

HOUSE OF COMMONS,

Tuesday, May 19, 1846.

MINUTES.] PUBLIC BILLS. — 2°· Superintendent of Convicts.

Reported. Viscount Hardinge's Annuity (No. 2); Viscount Hardinge's Annuity; Lord Gough's Annuity; Explosive Substances.

3°· and passed. Customs Duties.

PETITIONS PRESENTED. By several hon. Members, from an immense number of places, complaining of Refusal to grant Sites for the Erection of Churches for the Free Church of Scotland.—By Mr. Fox Maule, from Members of the Synod of Angus and Mearns, of the Free Church of Scotland, and by the Earl of Arundel and Surrey, from Inhabitants of the Town of Lowestoftt, for the Adoption of Measures for promoting the Due Observance of the Lord's Day.—By Sir James Duke, from Secular Clergymen and Laymen of the Town of Boston and its Vicinity, professing the Roman Catholic Religion, and by Mr. Dugdale, from Roman Catholic Inhabitants of the Parishes of Nuneaton and Chilvers Coton, in favour of the Roman Catholic Relief Bill. — By Mr. Pole Carew, from the Clergy of the Deanery of Trigg Major, in Cornwall, and by Sir Robert Harry Inglis, from Archdeacon and Clergy of the Deanery of Powder, against the Union of the Sees of St. Asaph and Bangor, but in favour of the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Mr. Baine, from Merchants, Shipowners, Manufacturers, and other Inhabitants of the Town of Greenock, and by Mr. Bannerman, from Members of the Aberdeen Steam Navigation Company, praying that all Expenses for the Erection and Maintenance of Lighthouses, Floating Buoys, and Beacons on the Coasts of the United Kingdom, should be henceforth defrayed out of the Public Revenue.—By Mr. Baine, from the Chamber of Commerce of Greenock, incorporated by Royal Charter, for Alteration of Sugar Duties.—From Joseph Hodgson, F.R.S., the President of the Birmingham Philosophical Institution, in favour of the Corresponding Societies and Lecture Rooms Bill.—By Mr. Muntz, from Mayor, Aldermen, and Burgesses of the Borough of Birmingham, respecting the Employment and Reformation of Discharged Prisoners.—By Mr. William Williams, from Inhabitants of the Town of Presteigh, and from Mayor, Aldermen, Common Councillors, Clergy, and other Inhabitants of the Borough of Cardigan, for Extension of Education in Wales.—By Mr. Cowper, from Inhabitants of Somers Town, Stratford, Lambeth, and Islington, and by Mr. Fox Maule, from Members of the Free Presbytery of Arbroath, for Limiting the Hours of Labour in Factories to Ten in the Day for Five Days in the Week, and Eight on the Saturday.—By Mr. Liddell, from Ratepayers of Sherburn and Crawcrook, for Repeal or Alteration of the Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Mr. Burroughes, from Officers of the Blofield Union, for a Superannuation Fund for Poor Law Officers.—By Mr. George William Hope, from Members of the Religious Society of Friends, and others of their Persuasion, residing in and near Southampton, for the Abolition of Capital Punishments.—By Sir George Grey, from Passengers travelling between Birmingham and Bristol by Railway, on the 18th of May, complaining of Break of Gauge on Railways.

SITES FOR PLACES OF WORSHIP IN SCOTLAND.

MR. FOX MAULE rose to ask (pursuant to the Notice he had given) for leave to bring in a Bill to enable Christian congregations in Scotland to obtain sites for places of worship, manses, and schoolhouses. He had given notice of his intention to introduce that measure for the relief of the grievances existing in Scotland, which were very considerable; but before opening his case he begged leave to present 115 petitions from various places in Scotland, in favour of it, and complaining of the grievances to which the petitioners were at present subjected. Having presented those petitions, he should observe that it had been his intention to have taken advantage of the position which he held, to lay a statement before the House of the motives by which he was actuated, and the reasons why he brought forward a measure of such importance, and one somewhat novel in its character. But inasmuch as he saw neither the Lord Advocate of Scotland nor the Secretary of State for the Home Department present, although they had had such full notion of his intention to introduce such a Bill, he took it for granted that they

had no objection, and he thought it would, under such circumstances, be better to confine himself to merely asking for leave to bring in the Bill, and reserving his statement until the second reading.

Sir R. H. INGLIS should like to have some explanation from the right hon. Gentleman. He wished to know what was meant by "Christian congregations." He knew very well what in his own conscience would be the meaning of such a phrase, but he should wish to know what the right hon. Gentlemen meant by using it. The right hon. Gentleman was known to be the advocate conscientiously, of the Free Church of Scotland, and he wished to know why the phrase "Christian congregations" had been adopted instead of any more distinct appellation. As to the Bill itself, some explanation was really requisite. So far as he could understand it, it was to enable persons who described themselves as Christians, to take a certain portion of their neighbour's property for their own use without that neighbour's consent; in fact, to give to persons calling themselves "Christians" just such powers as were given to railway companies by their Acts, to take certain lands at a fixed price. He thought the House would pause before allowing such a measure to be introduced, without some satisfactory explanation regarding it.

Mr. F. MAULE had before said, he was ready and prepared to give a full explanation; but inasmuch as the absence of Her Majesty's Ministers had apparently given a tacit consent to the introduction of the measure, he was willing to reserve that explanation for a future stage. Her Majesty's Ministers having since entered the House, he was ready to suggest that he should be permitted to bring in the Bill without in the least degree committing any one to its principles, and that the discussion should be taken on the second reading.

Sir JAMES GRAHAM begged to offer an apology to the right hon. Gentleman for not having been in the House when his Notice had been called on by the Speaker. But he had been most particularly engaged on some important public business, which had delayed him. With regard to the Bill, his impression, upon reading the notice regarding it, was, he confessed, unfavourable to its object. He should frankly state to the right hon. Gentleman that, judging only by the wording of the Notice, he had very grave objections to the Bill. Much, however, would of course depend upon the detail, which would be unfolded at a future stage, and more justice would be done to the measure by not previously entering into a hostile discussion at the present stage. He did not feel authorized to object to the introduction of the Bill.

Leave given.

CUSTOMS DUTIES BILL—AGRICULTURAL STATISTICS.

Sir ROBERT PEEL moved that the Bill be read a Third Time.

Mr. STAFFORD O'BRIEN rose to put the question of which he had given notice regarding the production of agricultural statistics. During the present Parliament, he believed in the year 1844, the question of agricultural statistics had been brought before the House by the hon. Member for Manchester, who was supported by the hon. Member for North Lincolnshire, than whom perhaps a more experienced agriculturist did not occupy a seat in that House. The hon. Member for Manchester consented to withdraw his Motion on the understanding that Her Majesty's Government would take some steps to obtain an alteration in the mode of obtaining those statistics. He believed it was understood that the Government of that day was unfavourable to the course which the hon. Member for Manchester proposed to pursue; but still there was an impression prevailing that they would take the matter into consideration, and the hon. Member withdrew his Motion. The cultivators of the soil had nothing to fear from the fullest disclosures; and if the House had been in possession of better information the agricultural interest would have been able to make out even a more complete case against the Corn Bill than they had made. He believed that Government must begin any undertaking of the kind slowly, and by degrees, lest they should create jealousy and suspicion on the part of the farmers; as those farmers became more enlightened, the inquiries might be pushed farther, and not limited, as in the first instance, to mere matters regarding the quantity of land in cultivation, or the number of cattle fed upon it. He apprehended that the machinery of the new Highway Bill, now before Parliament, might be advantageously employed for the purpose. It was ever to be borne in mind that the House was unanimous as to the value of the information, and as to the propriety of obtaining it.

Sir G. CLERK, as it was understood

that no debate was to take place on the third reading of the Customs Duties Bill, would confine himself to the question of which notice was given, whether the Government had taken any and what steps for collecting agricultural statistics since the subject was last under the consideration deavoured to proceed cautiously in the first of the House. The Government had eninstance, as was wished, and with the view of avoiding any jealousies on the part of the farmers. It had been anxious to ascertain whether the statistical information could be collected by means of existing machinery, and voluntarily, from the occupiers of land, rather than by any new and expensive machinery. The experiment had been tried upon a small scale; the northern division of Hampshire had been taken, the county of Edinburgh, and a large union in the county of Cavan, extending over 6,000 acres. In the latter case, in Ireland, the information collected had been obtained by the voluntary assistance of very intelligent landowners; the number of subdivisions of land rendered it difficult to discover the manner in which it was cropped, but information had been furnished in a very creditable manner. In the Scotch county, the means employed had been the parochial schoolmasters; printed forms were sent to them to leave with every occupier of land, to obtain a statement of the manner in which the land had been cropped, how many acres were under each species of cultivation, and the number of cattle, sheep, horses, and so on, upon the farm: the information had been very satisfactorily obtained, and put in a tabular form. With regard to Hampshire, the efforts of the Government had not at present been attended with success; they had been made through the Poor Law officers, the boards of guardians, who gave each occupier a form of return to fill up. Whether it was from some degree of jealousy or from apathy on a subject of such importance as this, he could not tell, but they had not been able to get the returns completed. Under these circumstances, therefore, he was bound to say that it might become expedient, in order to get the desired information, to make these returns compulsory within a certain time; otherwise he was afraid the object contemplated would not be successfully carried out. In the mean time, however, he was not prepared to say whether any legislative measure would be brought in for that purpose, or whether they would try for another year to obtain the returns voluntarily. If they could be obtained voluntarily, certainly that mode of procuring the information would be most desirable; and he trusted that, after the expression of opinion which his hon. Friend had given, they would be able next year to obtain returns, not from one county only, but from every county in England.

Lord G. BENTINCK, as the subject under consideration referred to statistical details, wished to ask if some means could not be devised of procuring statistical details in regard to the manufactures of the country. It had been stated as a fact in that House that the home consumption of the cotton manufacture was one-eighth of the whole production of the country. Now, he thought that if accurate information could be obtained, the home consumption would be found to amount to two-thirds of the whole manufactures of the country.

Mr. BRIGHT presumed the noble Lord must be acquainted with the fact, that they could obtain from the Customs an account of the raw material imported into the country, and of the manufactured goods exported. If they imported annually 500,000,000 or 600,000,000 pounds weight of cotton, and exported annually a certain amount, all they had to do was to apply the simple rule of subtraction, to find out what was the quantity that remained in the country. There was, no doubt, one defect in these returns—they were not always given in the same way—the returns being in weight in one case, and not in weight in another; but it was well known that it was impossible for any Government to ascertain the exact amount of all the different kinds of goods, or no doubt they would have much pleasure in giving the information. When his hon. Friend the Member for Manchester (Mr. M. Gibson) said they ought to have agricultural information, he meant it for the benefit of the agriculturists themselves, and not from any mere wish to inquire what they were doing. He believed that, in reference to the manufacturing interest of the country, the noble Lord might obtain much information from inpectors.

Mr. MILES was anxious that Government should take up the matter with as little delay as possible, and recommended that at all events the Poor Law guardians should not be resorted to to procure information, which he apprehended could be better obtained by voluntary means.

Bill read a third time and passed.

QUARANTINE LAWS.

DR. BOWRING moved, that—

"An humble Address be presented to Her Majesty that She will be graciously pleased to direct that such Correspondence or Extracts on the subject of the Quarantine Laws as has taken place with foreign Governments since the last Returns to Parliament to be laid on the Table of this House; and that this House will see with pleasure such relaxations in the existing system as may be compatible with a due regard to public health and the general interests of the nation."

The hon. Member commenced by quoting from a petition formerly presented from Dr. Maclean, in which that gentleman gave it as his opinion that the Quarantine Laws were highly objectionable—that they impeded science, produced immorality, obstructed travelling, and restricted commerce, navigation, and manufactures; besides being in many other respects hurtful. He could not mention the name of Dr. Maclean without a passing tribute to a man who had preceded his day in a thorough investigation of this question, and opened the way to more enlightened and philosophical legislation. He then proceeded to call the attention of the House to some circumstances which had occurred in connexion with the subject since it was last debated before the House. He had moved for the correspondence which had taken place on the subject of the *Eclair;* but he regretted that it had not been laid upon the Table. The facts, however, had been to some extent communicated to the public through the press; and he believed there had been a great sacrifice of human life—many new victories added to those of whom the Quarantine Laws had already caused the destruction. In *The Times* of the 30th of September last, he found some important statements with reference to that unfortunate vessel, contained in a letter from Portsmouth:—

"Arrived this morning (September 29), the *Eclair*, with the yellow flag and black ball in the centre, emblematic of death on board. The awful number of sixty-two have died in the vessel, and others are dying hourly. No communication is allowed. Twenty-three are ill. The surgeon was alive this morning, and answered that the mortality was from a fever, between the yellow and the black. The Custom House authorities are fearful of removing any one. We believe fresh provisions have been sent to the vessel; but cannot find out whether any human assistance has been rendered. If she remains, she will have to ride out forty days quarantine; but it is probable she will be supplied with fuel and fresh provisions, and sent for a cruize to the North Sea. The Admiralty despatches are landing, but nothing else. A boat rows guard round the vessel to prevent communication and consequent contagion, as well as to prevent any one escaping. September 30:—The malady still rages, three more deaths have been announced, and two new cases. The Custom House officers dare not go on board."

The next day it was stated—

"The statement that the sick had been removed to Haslar Hospital is without foundation. No one is allowed to go on board or leave the vessel."

Those men, always so ready to assist others in any time of danger, were here, in consequence of the Quarantine Laws, left without relief. They come home from a pestilential climate. The vessel filled with the miasmata of disease is a lazar house. Humanity required their immediate removal to a purer, healthier atmosphere. But there is considerable delay. They are left in the focus of contagion. They might, he believed, have been taken from the vessel without any the slightest danger to others; and thus many have been rescued who were left to perish. And what were the opinions entertained by proper authorities as to the disease itself? Dr. M'William, who had more experience than almost any other medical man on the subject of the African fever, and who was now appointed to investigate the case of the *Eclair* at Boa Vista, altogether repudiated the theory of contagion. In his interesting Report on the Niger Expedition, where among 145 whites not less than 130 were attacked by the fever, of whom forty died, he stated that all were exposed to the same influences; that two only of the four medical officers who died had been in attendance on fever patients—others escaped who had been in constant intercourse with the sick; and no fact came under his notice affording the slightest evidence that the disease was communicated from one person to another. The Russian Government had appointed a commission to go to the Levant to report on the means of checking the progress of the plague; but that commission went out prepossessed with the theory that if articles of merchandise were subjected to a certain degree of heat, not strong enough to injure the texture, or affect the beauty of the colours, the plague would not be communicated. This he thought had been long ago established; and it was some satisfaction to know that even very decided antagonists averred, that by so simple a process as the subjecting the supposed infected article to the action of caloric, all danger was removed. The Russian commissioners made experiments upon various

articles which had been thoroughly impregnated with the pus obtained from plague patients, or upon the garments of persons who had died of the plague. All these garments, the commissioners said, lost the power of communicating the disease when subjected to a certain amount of heat; but it would have been more satisfactory if they had ascertained whether, under any circumstances, such garments ever did, or ever could, communicate the plague, even when not subjected to the heat at all. It was well known that in the bazaars in the East, the clothes of plague patients were habitually sold without losing any of their money value. He would next refer to the result of an inquiry made by the Royal Academy of Medicine at Paris, on the authority of the French Government, with a view to their giving an opinion on the Quarantine Laws. The Academy had come to the following conclusions, which in his opinion must leave the whole system of quarantine, as founded on the doctrine of contagion, without any plea or pretence whatever: they had, in the first place, found that the plague was endemic in Egypt, Syria, and Turkey; that its breaking out was to be attributed to the spontaneous action of local and atmospheric causes, and not to its importation from distant quarters. He need scarcely refer to the frequent occurrence of the plague in this country down to the middle of the last century; the history of the plague in the East now was just what it was in the West in remote time. The London bills of mortality showed how frequently it occurred here, and how many thousands it carried off; till it disappeared altogether, as more and more attention was paid to the sanatory condition of the people, by the introduction, for example, of better sewerage, ventilation, and greater comfort to the community generally. At this moment the Tuscan Government was filling up the formerly uninhabitable district known as the Pontine Marshes; and it was becoming gradually peopled, without danger from the causes that formerly made it unfit for life. The next proposition of the French Academy was, that the outbreak and progress of the plague might be arrested, and even prevented, by proper regulations for the public health; and whether it existed in an endemic or epidemic form, it was only to be counteracted by removing the causes which gave it birth. What was true of typhus fever in this country was true of the plague. Circumscribe it, shut it up in close quarters without light and air, and it raged fearfully. He had seen it again and again, that a crew arriving in perfect health had perished from being delivered over to the tender mercies of the sanatory laws. The result the commission arrived at was, that the plague is an epidemic disease, and that it is propagated by atmospheric influences, and not by contagion. The commission had carried on their inquiries on the widest scale, drawing information from every source, and being themselves men of the highest medical authority, and having examined every traveller who was likely to give useful information. Another resolution they came to was this, that the plague was never known to exist in a latent state beyond the period of eight days. Wherever, therefore, a vessel had spent nine or ten days in its voyage with no sickness on board, there would be no risk whatever in admitting her crew to free *pratique*. Now, there was no plague accession in a voyage of nine days; and hence there was not a shadow of a plea for submitting passengers to quarantine when all on board were well. Then came another very important resolution, that the plague was not conveyed by goods or merchandise. When he had moved for a return of the persons who had the manifestation of susceptible or infected articles, and who had caught the plague in consequence, the return was *nil*. There was no record of any disease so communicated. The apprehension of danger was a chimera and a delusion. Goods from plague countries circulated every where. Animals and birds from plague countries wandered every where. They conveyed no contagion, for it was not conveyable. There were no facts to support the present system of quarantine: still these laws were kept up, taxing the commerce of the world, according to the best estimate he could make, to the extent of from 1,000,000*l.* to 2,000,000*l.* sterling per annum. He believed in his conscience there was no more evidence of any security given against the plague by these sanatory regulations, than was to be found of the existence of witches or ghosts; and if there were no interested parties connected with these laws, they would not have existed so long. The next deduction the commission arrived at was, that the plague patients alone could create a focus of infection; and that in case of the plague breaking out

on board a vessel, it must emanate from persons on board. They brought forward irresistible evidence that the common theories as to the communication of plague were crude and baseless visions—that the Quarantine Laws were not the fit security for the public health. They would bear the tests to which they had been and were now subjected. He felt indebted to the Government for what they had already done, and was quite sure that they would persevere in their efforts to remove the remains of this ancient but exploded system.

MR. HUME thought the time was come when this question ought to be taken up, not only by Her Majesty's Government, but by the Governments of other countries. To abolish these laws would be a step not only in humanity, but towards free trade. The whole of our foreign trade was subjected by them to a delay which was highly expensive, and often ruinous. He thought as much as 120,000*l.* was annually expended by this country in keeping up the system; and if it was satisfactorily made out that this expenditure was the cause of evil, and not of good, it was surely time to abolish the system. He seconded the Motion.

SIR G. CLERK said, on the part of the Government, he had no objection whatsoever to the production of the Papers and correspondence moved for by the hon. Member opposite. He also expressed his concurrence in all that had fallen from the hon. Member. The apprehensions which long existed in this country about the supposed contagious character of this disease, were losing ground, and it was desirable that these restrictions upon commercial intercourse should be done away with, without exciting any unnecessary alarm. From the communications he had received since this subject was last under discussion he hoped that foreign Governments would soon be convinced, from the result of the experiments which had been made to investigate the question of contagion, of the impolicy of continuing the system much longer. The preservation, however, of our own commerce in the Mediterranean required that we should deal with the matter judiciously and deliberately.

MR. MACKINNON wished also to say a few words on the present question. It was worthy of observation, in connection with this subject, that it had been ascertained when the thermometer rose to 80 degrees in any country where the plague was in existence, that disease ceased and yellow fever began. The hon. Member here referred to the evidence given before a Committee of the House in 1824, to show that the fact of the influence of warmth in checking the plague, was known and ascertained. It had been said in the same evidence, that in those countries where, for three or four months in the year, the temperature was so high as 80, the quarantine laws were utterly useless. What good, then, was there in continuing them, if contagion was proved not to exist? There were localities in our own country where, from poverty, dirt, bad food, and want of ventilation, diseases as bad, or may be worse than the plague, were of common concurrence. He concurred in what the hon. Member opposite had said about the *Eclair*, and he firmly believed, but for the operation of the quarantine laws, that more than one-half of those who had so perished in such a lamentable manner would have been saved.

CAPTAIN FITZMAURICE having suffered severely from the quarantine laws, was glad to hear that Government was about to reconsider the subject. The system was one which had inflicted serious injury on the trade of this country. He was at Gibraltar when the cholera broke out in England, and the consequence was that vessels arriving from Great Britain were obliged to go to Malta to ride quarantine, and then come back and land their cargoes at the rock, from eight to ten weeks being lost in the operation. He believed that the effects of the present quarantine law were to check the advance of science, literature, and commerce. Anything that could induce the different nations of Europe to establish the same period of quarantine for vessels coming from the same countries would be a very great advantage over the present system.

SIR R. INGLIS hoped that they would not trust to scientific means for the prevention of disease rather than to the goodness of Providence. He did not like to talk of judicial visitations, but it would be remembered that it was just after the report of the French savants declaring cholera not to be contagious, that the disease broke out in Paris and ravaged France.

Motion agreed to.

BRIDPORT ELECTION—CASE OF WM. ROCKETT.

MR. G. BANKES rose to bring forward his Motion, that William Rockett have

leave to state his case at the bar of the House, with reference to the Bridport election. He had proposed, in the first instance, to bring forward that subject as a question of privilege; but he had abandoned that determination in obedience to the decision of the Speaker. It was, however, his own opinion, that as the matter was one in which the privileges of an elector, or rather of an electoral body, were involved, it might be considered as one also affecting the privileges of the House. It should be remembered that the election had been decided by the single vote of the elector whose case he wished to bring under their notice. He believed that in consequence of the improper manner in which that vote had been dealt with, there was a Gentleman at present sitting in the House who had no right to be there. That Gentleman had voted on Saturday morning in favour of the third reading of the Bill for repealing the Corn Laws, while as he believed he had no right to give that vote. A boast had been made of the increase of one vote in the majority for the third reading as compared with the second reading of the Bill; but that increase could at once be accounted for by the vote in question. The House had taken into its hands the administration of a certain branch of the law; and he hoped they would, in this case, carry out a principle which was recognised in all courts of law, and admit that where there was a wrong there must also be a remedy. He would prove to them the wrong—it would be for them to say whether they would supply the remedy. A Committee had been appointed to try a petition against the return of Mr. Bailie Cochrane, as Member for Bridport. Now he admitted that no blame could be attached to Mr. Cochrane in connexion with that subject. In his opinion Mr. Cochrane had acted most honourably in resigning his seat before giving a vote which would be a contravention of an implied understanding between himself and his constituents. The Committee had proceeded to try the petition, and had made its report. It had, however, appeared to him that the House ought to have paused before it granted permission to take his seat to the hon. Gentleman, who had been declared to have had a right to be returned. The Committee had given its decision, not upon any allegation in the petition, but upon an extraneous point; and he thought that the House ought to have inquired whether or not such a proceeding was in conformity with the law of Parliament. The oath taken by Members of Committees was to the effect that they would "well and truly try the matter of the petition." Now in the petition to which he was referring, there was not a single word about a scrutiny, or about a mistake in any of the votes at the election. He was, therefore, of opinion, that the Committee had no right to come to the decision at which they had arrived. He was borne out in that opinion by former precedents. There was a case in which a Committee had refused to entertain a petition against a Member of that House who was at the time a high sheriff, on the ground that the fact of his being a high sheriff was not expressly alleged as the cause of his disqualification. Again, in the case of Sir Watkin Lewes, who was supposed to have been returned after the poll had been closed too early, a Committee had refused to try the petition against his return, because the too early closing of the poll had not been expressly set forth in that petition. His hon. and learned Friend the Attorney General might tell him that those were old cases; but he thought that they were not on that account the less entitled to respectful consideration. He would next proceed to show the House how important the case was as regarded the electors of Bridport. He should observe that those electors had had no notice of the attack made upon them. He had received a letter from Mr. Rockett, with whom he was not acquainted, requesting him to present a petition to the House, and stating that the mayor, the check clerk, and the poll clerk, would all testify to the truth of the statements contained in it. He had also received a letter from the polling clerk, informing him that Mr. Rockett distinctly voted for Mr. Cochrane, and did not even mention Mr. Romilly's name, asserting that his statement could be fully borne out by the check clerk. None of these parties were called before the Committee, which proceeded on entirely different evidence—on the evidence of an unknown person, who stated that he heard this person say he voted for Mr. Romilly; but he was never asked who he was, what he was, or where he came from. Really, if they were to take the law into their own hands, they were bound to administer it in conformity with the established rules recognised in the courts of law. He had shown them the wrong which had been committed; it was not for him to point out the remedy. They might have suspended the decision until they had ascertained the

truth. The hon. Member concluded by moving—

"That William Rockett have leave to state his case at the Bar of this House, with reference to the Bridport Election."

The ATTORNEY GENERAL could not conceive anything more inconvenient or more irregular—anything more in violation of the spirit of our institutions than was contained in the speech of his noble Friend. His noble Friend proposed nothing less than an investigation into the grounds on which the Committee decided this case—and upon the evidence, and the propriety of being satisfied with that evidence which was brought before them. But what then became of the intention of the Legislature, that the determination of the Select Committee in such cases should be final to all intents and purposes, if it was competent, after that decision had been pronounced, for a Member of the House to get up and attack the decision of the Committee, and to call upon the House to entertain an argument upon the merits of the determination at which the Committee had arrived. As his noble Friend had led them astray, would the House allow him to follow him one moment; and first with regard to the observations he made about the lists. He asked whether the objection to Rockett's vote was on the lists? He was answered that it really was. But see how hard it would be upon the Committee, supposing there had been no specific objection, and that the name of Rockett had not been on the lists. The lists were not seen by the Committee; they had no opportunity of investigating whether the name of a voter was or was not upon the lists; they must rely entirely upon the opposing counsel. He had a right to object to any particular vote being objected to; and if the counsel did not object, the Committee had no right—in fact, they had no power—to investigate for themselves. Then his noble Friend said, "Why did not they call the poll-clerk?" Why, what had the Committee to do with the poll-clerk? They sat there to receive the evidence which was tendered by the parties. They could not give directions how the case was to be conducted; they must judge upon the evidence that was adduced before them; and it was not for the Committee to say to counsel, "You have better evidence behind; why do you not bring us the poll-clerk?" If the Committee had no reason to doubt the evidence which was laid before them, it would have been a most improper course, if he might venture the observation, for the Committee to say to a counsel, give us more evidence. The counsel would in all likelihood reply that is all the evidence on which we propose to rest our case, and we call upon you, on that evidence, to come to a decision. But really he was entering into a discussion into which he ought not to be drawn; and therefore he would now come to the Motion of the hon. Member for Weymouth, which he had purposely abstained from entering upon when he last addressed the House. The hon. Gentleman rested his case upon the precedent which had been set by the House on the Motion of the hon. and learned Member for Bath, in 1842. But it must be remembered, that after that Committee had been granted, the House saw the extreme inconvenience of the course into which it had been led; and in August of the same year, an Act was passed on the Motion of the noble Lord the Member for London, by which provisions were specifically made as to the manner in which such inquiries were in future to be conducted. By the first section of that Act it was provided, that where allegations of bribery were contained in a petition, the Committee should be at liberty to go into all the circumstances of the case, in order to ascertain whether any arrangement or understanding had been come to by which the inquiry into the cases of bribery might be prevented: to ascertain, by the oaths of the candidates and their agents, what were the facts of the case, and to report the results of the same to the House. If a further report was considered necessary, the House was bound to go into it; the Speaker must appoint a prosecutor, the Committee must reassemble, with power to examine parties on oath. But suppose the Committee should not report, whether because they did not think it necessary, or because they were not sufficiently alive to the case—for he meant to meet the question fairly—were parties, then, precluded from having the charges of bribery investigated? By no means. A petition might be presented to the House within three months of the time when the bribery was alleged to have been committed, and that petition was to be referred to the General Committee on Elections, which General Committee was to appoint a Select Committee, with all the powers of an Election Committee—that is, to examine parties on oath—and this was

the provision which the Legislature considered as a proper substitute for the omission of an Election Committee. Now, the time for presenting such a petition had not yet elapsed; and, therefore, his objection to the Amendment of the hon. Member was, that the Legislature had already provided for this special occasion, and that instead of adopting the means which the Legislature had placed in their hands—and most efficient means they were—the hon. Member asked for that which would be a much more imperfect and unsatisfactory mode of investigation—for a Select Committee which was unable to institute an inquiry upon oath. The hon. Gentleman, in stating his case, assumed that because thirty-seven voters were charged with bribery, that of itself was a ground of suspicion. If the hon. Gentleman had had as much experience of Election Committees as he unquestionably had, he would have known that it was the most common thing in the world to object to voters on this ground. He might refer to the great Dublin case, the Committee on which sat ninety days, and where there was hardly a voter in that extensive constituency who was not objected to on the ground of bribery. The Lord Mayor of Dublin and gentlemen of the highest rank were all alleged to have taken bribes on that occasion. Then another ground of suspicion in the mind of the hon. Gentleman was, that they wished to go into the question of scrutiny before the question of bribery. Why, that was the invariable course of parties before an Election Committee, and it was easily explained. The petitioner wanted the seat; he did not want merely to avoid the election—which a proof of bribery would do—therefore he took up first the question of a scrutiny of votes, which, if he succeeded in, he would at once obtain the seat for himself; and it was only when that failed that he attempted to vacate the seat by proving the charge of bribery. The grounds on which the Amendment had been brought before the House had been placed fully before it, and he was of opinion that they were inadequate to call on the House for interference. He thought the case would be best met by allowing the usual course to be followed, and that the Committee called for by the hon. Member on the other side should not be allowed.

Mr. CHRISTIE stated his willingness to acquiesce in the suggestions of the Attorney General, provided the hon. and learned Gentleman would pledge himself afterwards to go into an inquiry regarding the compromise that took place before the Committee, and the allegations of bribery that had been made. [The Attorney General thought the hon. Member had better suspend any observations upon that point until he had discussed his Amendment.] He understood the hon. and learned Gentleman to intimate an opinion that it was not convenient to extend the inquiry beyond the limits he had stated; but the hon. and learned Gentleman had assigned no reason for restricting it as he proposed. The Amendment he was about to move would, perhaps, induce the hon. and learned Gentleman to state his reasons. In giving notice of this Amendment he had no intention to do anything discourteous to the hon. Gentleman, or to take out of his hands a question which he might be supposed to have appropriated. He thought, with the Attorney General, that an inquiry by a Committee would be much more convenient than the examination of Mr. Rockett at the bar of the House; and he entirely differed from the hon. Gentleman (Mr. Bankes), who questioned the right of the hon. Member for Bridport to his seat. If the hon. Gentleman concurred with him in the proposal to institute a full inquiry by means of a Committee, he thought he should be able to satisfy the hon. Gentleman that if Mr. Romilly had not been seated, Mr. Cochrane would still have lost his seat. Mr. Cochrane's counsel proposed that the decision should be taken upon the transfer of Mr. Rockett's vote, in order to prevent the discovery of bribery and treating, a discovery which could not otherwise have been prevented. The very object of the compromise was to prevent the evidence of bribery from coming before the Committee. No less than thirty-seven votes were objected to as the votes of persons who had received bribes. There were objections to six others who had voted for Mr. Cochrane, because they had bribed or corrupted others, and so had disqualified themselves. Mr. Cochrane gave many proofs of a desire to avoid inquiry; and inquiry was at last avoided in consequence of a proposal from Mr. Cochrane. The day before Mr. Cochrane made a speech in that House, which would probably be in the recollection of hon. Members, a gentleman who was known to take a very active part in the elections in which the Government took an interest—he meant Mr. Bonham—called on the agent of the

petitioners, and offered them a written undertaking that Mr. Cochrane would not again contest Bridport if they abandoned this petition. The petitioners, however, proceeded. At last the question was raised whether a mode of putting Romilly above Cochrane by the transfer of a vote could be suggested; for Mr. Cochrane, it was stated, that he would not oppose such an arrangement. The counsel for Mr. Cochrane was very complaisant; and the transfer of Mr. Rockett's vote was made without calling the poll-clerk. At the time that this Committee so quickly closed its labours, five writs had been issued for penalties against four of Mr. Cochrane's voters. He (Mr. Christie) submitted these facts to the House in the belief that he should be in a condition to prove them, if the Committee for which he asked were granted, and its inquiries were extended beyond the narrow limits which the hon. and learned Gentleman proposed. In 1842 this House granted an inquiry into the existence of alleged compromises, on a statement of the hon. and learned Member for Bath. He was prepared to state, that there had been a compromise in the present case to prevent the discovery of bribery and treating, by parties assenting to the transfer of this vote of Rockett's from Mr. Cochrane to Mr. Romilly. On that ground he begged to move as an Amendment—

"That the Petition of William Rockett be referred to a Select Committee, which shall be appointed, to inquire into all the circumstances under which Joseph Welch gave evidence before the Select Committee on the Bridport Election Petition, that William Rockett voted for Mr. Romilly, and whether any compromise or arrangement was entered into by the parties to the Petition, their counsel, or agents, to prevent the disclosure of bribery or treating; and also, whether, and to what extent, bribery and treating were practised at the last election for the Borough of Bridport."

LORD G. BENTINCK: My hon. and learned Friend, at the outset of his speech, thought proper to pass some strictures on the speech of my hon. Friend below me (Mr. Bankes), for the mode in which he had introduced his Motion before the House. I do not know what my hon. Friend could have done less, when he proposed that Rockett should be heard at the bar of this House, than to state the grounds on which he made so unusual a proposition; and my hon. Friend did not, as it appears to me, go at all out of his way, when he stated to the House the whole circumstances of the case—when he reminded the House of the oath which had been taken by the Members of the Committee to try the matters contained in the petition, and then to refer to the petition, and to state to the House that none of those matters were in the petition, on the strength of which Mr. Bailie Cochrane was unseated. My hon. and learned Friend seems to me to have strange notions of justice, when he thinks it right that a man should be tried on one issue, and convicted on another. I wonder what my hon. and learned Friend would think, if a man were indicted for forgery, and then, being indicted for forgery, he were convicted of rape? But, Sir, this is exactly the case of Mr. Cochrane. My hon. and learned Friend admitted that it would not be competent for petitioners to go into a question of bribery and treating, unless bribery and treating were alleged in the petition. If the petitioners are not competent to do that, how can it be competent for them to go into a question of a false entry by a poll-clerk, if no such allegation has been placed upon their petition? I should like to ask, whether, in the lists to which my hon. and learned Friend has adverted, there was any notice given of Rockett's vote being objected to, on the ground that he had polled for Mr. Romilly, though his vote was recorded for Mr. Cochrane. I find, that by Act of Parliament, in all cases of controverted elections, parties by themselves or their agents shall deliver into the clerk of the Committee lists of the voters objected to, together with the several heads of objections. I want to know, whether in the several heads of objections in this case, there was any objection to Rockett's vote, that it had been given for Mr. Romilly, and falsely recorded for Mr. Cochrane. [An hon. MEMBER: There was.] There was. The hon. and learned Gentleman (Mr. Christie) who stated that thirty-seven votes had been objected to for bribery, did not state to the House, that there was a separate head, in which it was objected to Rockett's vote, that it had been recorded for Mr. Cochrane, while it was actually tendered for Mr. Romilly. But there is another ground. One of the first rules of evidence is, that you are not to take secondary evidence when primary evidence is in your power. What does my hon. and learned Friend the Attorney General say to that? It was competent to the Committee to call before them Rockett or the poll-clerk—one or other of them who could have given primary evidence on this point; but neither the one nor the other of them was called

before the Committee. My hon. Friend below me, therefore, had a perfect right to say—he never intended to say, that by the law of elections Mr. Romilly had no legal right to sit in this House ; but what he meant to say was, that he had no right in equity, no moral right, to sit in this House. The hon. Gentleman on the other side says, that if we give him a Committee he shall be able to prove a case of bribery. I thought it was one of the first principles of English justice, that a man should be held to be innocent till he was proved to be guilty. Then the hon. Gentleman promises, if we grant his Motion for a Committee, to convict certain voters of bribery; and he thinks that a complete answer to the fact before us—he thinks it a complete answer to the question, that the Committee had been sworn to try the case on one ground, and that they have tried it on another. This, I think, is a grave charge to be brought against the Members of the Committee. It is something new for judges or jurymen, or members of an Election Committee, who are sworn to try the matter on a petition, loosely to try some other matter which they are not not sworn to try. This does not comport with my notions either of justice or of moral right. But it is intimated to us that there has been a compromise. I apprehend that it is no part of the duty of an Election Committee to enter into a collusion with the parties that are before them. They must try the case on the evidence which is laid before them ; but the charge against this Committee is, that they tried not the matter which was before them, but some other matter—and that they tried even that other matter, not upon legal evidence, but upon secondary evidence, when primary evidence might have been obtained if they thought fit to seek it. It seems to me clear, by all the rules of law and justice, that the Committee, by all the evidence which was laid before them, have no justification for the verdict which they have made, and therefore I think that my hon. Friend was justified in bringing this matter in the perspicuous way he has brought it before the House.

Mr. C. WOOD, as Chairman of the Committee, was anxious to make a few remarks to the House.

Sir J. GRAHAM made an observation across the Table, and the hon. Member sat down.

The ATTORNEY GENERAL had been led to expect, from the nature of the hon. Member's Notice, that he intended merely to call the attention of the House to some injury which had been done to this person Rockett, which demanded redress ; not that he proposed to bring forward charges against the Committee as to the grounds upon which they had decided in the case of the Bridport Election Petition. The hon. Gentleman had in effect said that his hon. and learned Friend (Mr. Romilly), who was Member for Bridport, by virtue of the decision of a Select Committee, which decision was by Act of Parliament final and conclusive, had no right to sit and vote in that House. The hon. Member should have been cautious in making such a charge, and impeaching a title which rested upon the established law. The Select Committee of the House of Commons to which an election petition was referred was a court of exclusive jurisdiction, and its decision was final ; and if even they were to decide erroneously, there was no remedy. But the hon. Member said the Committee had investigated matters not properly before them ; and when their Report was presented he asked the House to pause before they permitted the present hon. and learned Member for Bridport to take his seat. The House refused that application, for they had not the power to prevent that hon. and learned Member from taking his seat. Then with regard to the question of the scrutiny, he apprehended there was, as the law stood, no necessity to introduce into an election petition any allegation that a vote, or any number of votes, had been given for one candidate instead of another. When it was necessary to go into a scrutiny, a list of the voters objected to, and the specific objection in each case, must be given in by each party a certain time before the Committee met ; and no objection could afterwards be entered into against any voter whose name did not appear in such lists, nor upon any objection but that specified against the voter's name. If, therefore, it had been alleged in the petition that the vote of this man had been improperly entered for Mr. Cochrane, and no list had been given, the Committee could not have entertained the objection. The hon. and learned Member said the Committee were bound to give a decision upon oath. What, he (the Attorney General) asked, was the nature of that oath ? Why, that the Committee were to inquire into the matter of the petition. What was the matter of this petition ? It contained the usual general allegations of bribery and treating, and then

there was—what he admitted was absolutely necessary in order to give jurisdiction to the Committee—a complaint against the return, and praying the House to take the premises into consideration, and to declare that Mr. Cochrane was not duly elected, and that he ought not to have been returned, but that Mr. Romilly had been duly elected, and ought to have been returned. If the petition had not contained that prayer it would have been quite incompetent for the Committee to have entered upon the question as to whether Mr. Cochrane had been legally returned or not; but the petition containing a prayer to seat Mr. Romilly, the Committee were bound to hear the general evidence of the petitioner, and to decide upon that evidence. It would have been the duty of the counsel for the then sitting Member to have raised the objection that the name of the voter (Rockett) was not upon the list of those parties whose votes the petitioner prayed an inquiry into; but no such objection having been taken, it was quite competent for the Committee to receive evidence upon that vote, and decide accordingly. He denied that the Committee had exceeded its jurisdiction in dealing with any vote which might not be included in the list of objections. The hon. and learned Member for Dorsetshire had more than once said that when the House assumed this power to themselves, they should take care not to commit an injustice, or, if they did so, that a remedy might be provided. But he assured the hon. and learned Member that power was not assumed in this case. It was given to a Select Committee of the House by the Legislature, and by the Legislature were the limits of that power ascertained and defined, and the Legislature declared that the decision of that Select Committee should be final and conclusive. Under these circumstances, he asked how the hon. and learned Member for Dorsetshire could expect the House to interfere with the decision of a Committee which the Legislature had declared to be final and conclusive. He trusted that the hon. Member for Bridport would feel that he had as good a claim to his seat in that House as the hon. and learned Member for Dorsetshire. With respect to the Motion of the hon. and learned Gentleman, he certainly had some objections to its form, although not to its substance. What was the case with regard to William Rockett? He came here with a petition, and he said "that great injustice had been done him, inasmuch as he gave his vote, and always intended to give his vote, to Mr. Cochrane; but he found that the vote which he had so given in favour of Mr. Cochrane had been transferred to the poll of the opposing candidate;" and he said, "this had been done by reason of false and perjured testimony given before that House." Now it was quite clear that this was a case which called upon the House to institute an investigation. The only question was, as to the most convenient mode in which this investigation should take place; and he thought that the course suggested, by the Amendment of the hon. and learned Member for Weymouth for a Select Committee, was the more advisable of the two. One thing was clear, that the House could not refuse to investigate. He was not, however, by this general acquiescence in the Amendment of the hon. and learned Member for Weymouth, to be understood as agreeing to the whole of his Amendment, but merely as regarded the vote of William Rockett. He thought perhaps it might be inconvenient to enter into an investigation at present of the latter part of that Amendment.

Mr. GISBORNE was of opinion that the law upon controverted elections having been fully laid down, no Member of that House could feel dissatisfied if that law were followed by no other mode of inquiry. Still he was of opinion that cases like the present should on all occasions receive the fullest attention, in order that it might not be said that Members were allowed to sit in the House, against the friends of whom might be brought a charge that they had connived at unfairness. Cases similar to the present often occurred. One hon. Member sat at the present moment in that House, because his opponent not caring to defend his seat, forty-six votes were at once struck off the list of those who had voted for him, and the hon. Member was accordingly declared returned. A mode existed of managing these matters. When it was not desirable that cases of bribery should be disclosed, a proceeding called "jobbing the lists" was practised. Such proceedings as these should be rendered impossible; and he hoped the Committe would not only be appointed, but that they would go to the fullest inquiry, and take other cases besides that of Rockett. Seats had been transferred from one person to another without those most interested knowing a word about the matter. Such proceedings were a great abuse of law and of justice, and he trusted the Legislature would not continue to sit

quiet under such a condition of things. If the laws were rendered operative in such cases, he was willing to admit that he must thank the other side of the House for calling attention to the iniquitous practices.

Sir R. H. INGLIS differed in opinion from his hon. Friend the Member for Dorsetshire, when he said they had assumed to themselves a power, and were therefore bound to exercise it with proportionate caution and forbearance. He contended that they had not assumed any such power. Their power was committed to them by an Act of the whole Legislature; and they were bound by law, and therefore it was their duty to exercise the authority with which they were so intrusted. He also differed from the hon. Member for Dorsetshire when he said that the decision of the Committee had added one vote to the recent triumph of the Government. The majority of the Government would not have been one less if the original Member had continued to occupy a seat in the House during the late divisions; for that Gentleman had already intimated his intention to vote with Her Majesty's Ministers. He also differed from his hon. Friend as to the construction of the petition upon which the Election Committee was to decide. He felt that it was not legally necessary that a petition complaining of any one election, should state any given number of charges; it was enough that A. B., being an elector, should state that C. had been improperly returned, and should pray that the House would redress the wrong. He agreed, however, with his hon. Friend, though he differed from him as to these points, that this was a matter of the gravest importance, not merely to those particular individuals immediately concerned, but to every Member of the House, and to all the constituencies which they represented. He could certainly have wished that the hon. and learned Attorney General had not interposed on the present occasion. That interposition was marked by an animation which he thought the subject scarcely called for. He also would have wished that the right hon. Gentleman the Secretary of State for the Home Department had not risen to prevent the hon. Gentleman (Mr. C. Wood), the Chairman of this particular Committee, from stating the circumstances connected with it. Since he had had the honour of a seat in that House he was opposed to the reopening of any judicial question which had already been decided by a competent tribunal; but when the House had declared that the minutes of a certain Election Committee should be laid on the Table and be printed, he could never understand the necessity for that waste of paper, of printing, and of time, if they were not to have the power of expressing an opinion upon it. He never heard such a statement of compromise—borne out, as it emphatically was by the absence of evidence to the contrary. And he hardly knew what remedy was provided, or what mode of investigation was pointed out for any such case of compromise as to bribery; indeed, there was a more appropriate tribunal than that which was now contemplated. The more appropriate one was that suggested by his hon. and learned Friend the Attorney General—viz., the power granted by the Act called Lord John Russell's Act, which gave the power of examining witnesses on oath, which would fail to attach to the Committee of the hon. Member for Wigan. He held it to be a grievance that an unsworn Committee should sit in judgment on a sworn Committee. He was in the House when the late hon. Member for Bridport addressed the House for the last time; and he had then made observations which he (Sir R. H. Inglis) would not have made if he had been aware that the hon. Gentleman was about to leave the House. He could not but feel that there must have been such practices in the late election for Bridport, as, coupled with the preceding elections for that borough, might justify those who retained the elective franchise in their apprehensions lest further proceedings in a Committee of the House should lead to the disfranchisement of the borough. Under these circumstances he was unwilling that the question should stop where it did; but he hesitated about the support he should give to the Motion of the hon. Member for Weymouth, because he felt that as to bribery a better process was still open—a process which was not exhausted by the lapse of time—which a month or six weeks hence might still be as open as it was now—and by which, with a complete command of the whole machinery of the law, the inquiry might be prosecuted in a more satisfactory manner.

Mr. WAKLEY regretted that the right hon. Gentleman the Secretary of State for the Home Department had interfered and prevented the Chairman of the Committee from disclosing those circumstances with which he thought the House ought to be

acquainted, and he thought that the hon. Chairman had exercised a sound discretion in making the attempt. What was the case? An Election Committee had sat to determine who ought to possess the seat after the late election at Bridport; and it was disclosed that the Member who had obtained the seat had done so by a majority of one vote. Subsequently, a petition was presented to the House by the Gentleman who was supposed at the time to have lost the election, for an inquiry into the circumstances, and charging bribery and corruption on the other side. The Committee sat, and called bfeore them a voter, a man named Welch, of whom nobody apparently knew anything; and Welch was asked how another voter named Rockett gave his vote, and he stated that he heard Rockett vote for Romilly, and not for Cochrane; and, as far as the evidence before the House went, upon the single, unsupported testimony of that man, Mr. Romilly was seated as secure as if he was sitting on birdlime, and Mr. Cochrane had lost the position which he hoped to hold. Nobody disputed Mr. Romilly's legal and equitable right to the seat; for the law on the subject was so decided, that it would be child's play to dispute it for a moment. Was it not a most extraordinary thing that the Committee did not consider it their duty to call Rockett himself before them to ask how he voted? Instead of that, poor man, he was made to go up for Cochrane and come down for Romilly. It appeared to him to be one of the grossest absurdities which had ever occurred before a judicial, not a judicious, tribunal. The Committee had to discharge a duty; he admitted that it had performed that duty, and not in a creditable manner. The Chairman wished to explain the circumstances under which they were placed, but an imprudent interference had prevented him. Had not the House a duty to discharge, without referring to the ultimate effect that its decision or inquiry might have as to the legal bearing of the question? With reference to future and late legislation, was it not their duty to inquire into the manner in which these Committees worked? Also, with reference to sustaining the purity of election; for nothing could be more damaging to the character of the Legislature than that persons should obtain their seats in the House by bribery and corrupt practices. He was grateful, for one, to the hon. and learned Member for Dorchester, who had brought this question before the House; and he thought that his hon. and learned Friend had rendered a service by appending to the Motion the Amendment which he had made. The Attorney General had treated the question with great fairness; but he proposed that they should stop short at that part of the inquiry where its utility obviously commenced. Why should they not adopt the course which was pursued in the case of the petition from Bath? When the hon. Member for Weymouth stated in his place that he had reason to believe that there were corrupt practices at the late election for Bridport, and that if a Select Committee were granted, he should have it in his power to prove, by undoubted testimony, the existence of such practices, could the House, with any sense of propriety, refuse the investigation? He thought that words ought to be introduced extending the inquiry to both parties. The House would not discharge their duty to themselves or to that portion of the public who desired to see Members returned by pure practices and not by bribery, if they limited the investigation to the point put by the Attorney General.

The CHANCELLOR OF THE EXCHEQUER said, that the hon. Gentleman had fallen into an error, in reply to the Attorney General's argument. The hon. and learned Gentleman did not proceed on the assumption, that it was not right to make an inquiry into circumstances such as they were now discussing, when they were brought before the House; but his argument was, that Parliament had laid down a particular course for a strict and searching inquiry into transactions of this nature, and that it was not, therefore, expedient in this or similar cases to take upon themselves inquiries before an unsworn Committee into facts and circumstances with respect to which the law had provided the means of inquiry before a sworn tribunal. The hon. Gentleman said, "You have these facts before you, will you not inquire into them?" An hon. Member might come down and say, "I was present at the election of an hon. Member, when such and such scenes took place; and I call on you to have a Select Committee." This law was framed with reference to the very case to which the hon. Member had adverted; for it was immediately after inquiries, at the suggestion of Mr. Roebuck, that Lord John Russell introduced this measure, remarking on the inconvenience which resulted from conducting inquiries of that nature in the way in which they had been conducted. He laid

down the rule that there should be a *bonâ fide* charge substantiated on the best evidence, and that it should be submitted to the best tribunal—viz., that of Members acting under an oath to discharge their duty. His hon. Friend had expressed his readiness to inquire into the transfer of a vote: there was no unwillingness to have the charges inquired into; but the law had pointed out how they should be inquired into; and if the Committee had omitted a duty in not recommending the House to proceed with the inquiry, the parties had the remedy in their own hands. His hon. Friend who had opened this discussion seemed to apprehend that he had been subjected to something like a grievance in not being allowed to bring forward this question as a matter of privilege. He thought the hon. Member was acting under an error as to what came within the definition of privilege. The question of privilege was confined to those acts which affected the immediate rights of the House, or the rights of particular Members to discharge their duties within the House; and therefore questions as to Members who were wrongfully in the House, or who were wrongfully excluded from the House, or who had their rights infringed upon so as to prevent them discharging their duties, had precedence of other questions; but the privilege of an elector did not come within the category of interfering with the discharge of the duty of a Member within the House.

Mr. ROMILLY said, that he was not going to say one word as to the question, but in reference to what the hon. Member for Finsbury had stated that this question was presented by him (Mr. Romilly). When the late election for Bridport was concluded against him, he felt somewhat dissatisfied, but declined, though pressed to do so, to take any steps whatever to reverse the decision. He was pressed on several occasions to be the petitioning party against Mr. Cochrane, but declined to be connected with the petition, or to have anything whatever to do with it. The petition was presented in the name of a voter; he knew nothing of its being brought forward except by casual report, from his learned Friends, who, thinking he might feel interested, came and spoke to him on the subject. He never was consulted by any person with regard to the petition, consequently he was a total stranger as to whether there was a compromise or not. So far as this Motion was concerned, personally, he should wish the fullest possible inquiry into all the circumstances connected with the late election for Bridport. He should not wish an inquiry as to what one side or what one candidate had done, but the fullest inquiry into everything that had taken place; and he pledged himself, as far as he was able, to give the fullest possible assistance. He would suggest to his hon. and learned Friend the Attorney General, that the proceeding under the Bill of the noble Lord would be more effective if the proceedings were carried on, not at the costs of the parties to the petition, but at the expense of the county, otherwise the petition would be presented under the Act.

Mr. AGLIONBY agreed with what had fallen from the hon. Member for Finsbury (Mr. Wakley), that it would have been a great advantage had the hon. Member for Halifax, the Chairman of the Committee, given his opinion on this question. He (Mr. Aglionby) did not think that the Committee would be compromised or its functions interfered with; and the hon. Member would have spoken merely on his knowledge of the facts, and those facts would have guided the House in its decision. He could not see the grounds on which the hon. and learned Gentleman (the Attorney General) objected to the Amendment. What was there which could interfere with the functions of the Committee on the Motion "that the petition of William Rockett be referred to a Select Committee?" But the hon. and learned Gentleman objected to the concluding portions—"whether any compromise or arrangement was entered into by the parties to the petition;" and "whether, and to what extent, bribery and treating were practised at the last election for the borough of Bridport?" The first was agreed to, the second and third were objected to; and the Attorney General said he objected to an inquiry in this way, because there was another mode; but he (Mr. Aglionby) said there was no other mode open to the House. It had been argued that the 5th and 6th Victoria, cap. 102, put an end to the functions and jurisdiction of the House in this matter; but this was a mistake. The provisions of that Act were entirely concurrent with the jurisdiction of that House. The Act must be construed by itself, and not by anything that might have fallen from its promoters; and the Act contained no words excluding the jurisdiction of the House. The first section gave power to the Committee, at

its discretion, to take certain steps; but the Committee were not bound to exercise that power. If they had sufficient evidence before them to raise a suspicion that there was a compromise, it would be their duty to proceed in the inquiry; but supposing the Committee had no evidence tendered to them, it was no imputation upon the discretion of the Committee to say that they might not consider it their duty to originate an inquiry. He assumed that neither of the parties before the Committee tendered evidence to raise a suspicion of bribery or of compromise; and if so, the Committee were not bound to raise it of their own accord. There was another mode of proceeding; the House might appoint a Committee, with certain modes of acting, who might examine witnesses upon oath, and report the result to the House, and the expense of that Committee (for there the hon. Member for Bridport was mistaken) would be borne by the public if there was a *primâ facie* case. But it was a perilous thing to attempt to set up a *primâ facie* case. And the party petitioning must be a voter, and what motive could a voter have for taking such a step? It must be purely and entirely from public spirit. Could it be expected that a voter would do from public spirit what the House would not do to-night? In the next place, there must be an allegation of "general and extensive bribery;" but his hon. and learned Friend asked for inquiry on another ground. In this case he had no doubt that in the borough of Bridport there were grounds for suspecting bribery, and that a compromise had been entered into, and that Rockett had been juggled out of his vote; but he knew nothing of the facts, or of Rockett or Welsh? but no Member, he thought, could have much doubt that there had been a compromise to prevent further inquiry. He should vote for the Motion, not intending any imputation upon the integrity or discernment of the Committee. He recommended his hon. and learned Friend to withdraw the latter part of the Amendment.

MR. C. WOOD believed he should, on the whole, best exercise his discretion by saying a few words upon this question; if he was wrong, he hoped the House would extend its indulgence to him. He did not intend—which would be wrong—to enter into a justification of the proceedings of the Committee; but he thought he should not transgress the limits of his duty by stating a few facts. He apprehended that the duties now of Election Committees were of two different kinds; they had judicial functions, under the new Grenville Act; and under the Act of his noble Friend the Member for the city of London they had inquisitorial functions. As to their judicial functions, the mention of them suggested two considerations—first, their exact jurisdiction; and, secondly, the exercise of that jurisdiction. Their jurisdiction was of this character, that they could not call for any evidence, but must be contented with that which was adduced by counsel; and the exercise of their jurisdiction was, that upon the evidence so adduced they should pronounce their decision. This was precisely what they had done in the present case. No doubt had been thrown upon the evidence that was adduced—no adverse testimony had been given to prove its falsity—and therefore the Committee had no option but to receive it as true, and decide accordingly. It was impossible, therefore, that the conduct of the Committee could be impeached. It was not usual for Election Committees to call for lists; but when they were brought before them in the course of arguments by counsel, it was, of course, their duty to take them into consideration. It had been said by some hon. Member—he believed the hon. Member for Finsbury—that the Committee had made no inquiry with respect to the circumstance of the voter himself not having been called; but, in point of fact, the Committee themselves were proceeding to call the voter before them when a point of objection was raised by counsel, who proved that the Committee had no power to make any such call, and showed that it was incompetent for them to act on such evidence. It was very possible that under the present system of Election Committees the interests of the voters were not sufficiently attended to. It was, perhaps, quite true that the voter's vote was too often disposed of in the manner which appeared to be best suited to the interests of the litigant parties, and without any regard to his own interests, and possibly without his consent or knowlege. If this was so, inquiry might be very desirable, with a view to remedy the evil by wholesome legislation; and an investigation for that purpose should have his assent. Nor would he have the slightest objection that an inquiry should take place into the circumstances under which Welch gave his evidence; but he did not think there were the slightest grounds for im-

peaching the conduct of the Committee. They could not themselves originate a presumption of bribery. No adverse testimony was adduced; and as no doubt had been cast upon the only evidence before them, they were bound to believe it true. Their duty was merely to make a scrutiny into the validity of the election, and this they had done. The case had been compromised, and it did not occur to any Member of the Committee that it was one which called for further investigation. With respect to the allegation of bribery, that was a matter which, if it was now proposed to investigate it, should be inquired into only by such a tribunal as that sanctioned under Lord John Russell's Act. He was decidedly averse to any inquiry at this stage of the proceedings into the matter of the compromise, for he thought that such an inquiry would be a most bootless one. Such an inquiry would now be quite useless. It could only have been of service as affording evidence from which the bribery might be inferred; but if anything was to be investigated it should be the allegation of bribery itself, and that should be inquired into by such a tribunal as was appointed under Lord John Russell's Act.

Mr. B. ESCOTT said, that the noble Lord the Member for Lynn would not have attacked the Committee as he had done if he had known the facts of the case; and, considering that the Committee were bound by oath to discharge their functions, he should have thought if the noble Lord had any complaint to make, it would have been made, not by insinuation, but by direct and straightforward accusation; but if the noble Lord had been in the habit of speaking from information, the House would not have heard from him so many long harangues as they had been favoured with during the last two months. However, the proceedings of the Committees had not been generally attacked; indeed, he did not know how they could be, by any one who had not been present, and who could know nothing of the proceedings except from a printed paper, of which he chose to read only such parts as suited him. At all events, no person could doubt that the present Member for Bridport was the proper representative of that town; for he thought that when his learned Friend Mr. Austin, representing the claimant of a seat in that House, threw up his brief, that was sufficient ground for any judicial tribunal to proceed upon. Every Member must desire that there should be a searching inquiry into any corrupt proceedings at the Bridport election. The only question with him was, what tribunal would be the best to investigate that matter. He did not venture to say decidedly that it might not have been more discreet in the Committee to have carried their inquiry further; but when the noble Lord the Member for Lynn threw out imputations against members of a Committee, as honourable as himself, he begged to remind the noble Lord that in the next sentence he had said that the Committee were bound by oath to decide on the evidence brought before them; and it was impossible to deny that they had so decided upon the evidence which was produced before them.

Mr. BANKES said, that to deny that the hon. Member for Bridport was *de facto* sitting in that House, would be absurd. He was sitting there; but the majority of the electors of Bridport felt injured by that circumstance. He was there, they alleged, against their desire; and that was a wrong for which, if possible, they should find a remedy. He had discharged the duty to the House which he was requested to perform, namely, to present the petition to the House, and, in conformity with the prayer of that petition, to pray that the party should be heard. He had limited his application to that, and it was his desire that the House should be able to satisfy themselves that this was a genuine petition. It appeared to him that it was a genuine petition; but the most satisfactory way of ascertaining that was, by bringing the petitioners to the bar of the House. The hon. Member for Weymouth, however, had substituted an Amendment, to which he (Mr. Bankes) was ready to accede; but when he asked him whether he was disposed to move for a Select Committee, he told him that he was already on other Committees which sufficiently occupied him, and he could not sit on any other Select Committee. The Attorney General had mentioned that this petition was sufficient to meet the case that had been tried before; but he begged to call his attention to the fact that there was not one word in this petition which met the case that was tried. There was not one word in this petition which alleged that a vote was improperly put on one poll that ought to be put on the other. The prayer of the petition was this—that the House should take the premises into their consideration, those premises being what was contained in the petition, and that the parties should get such

relief on the premises as to the House should seem met. As to what had been said by the hon. Member for Oxford with regard to the jurisdiction of the House, he (Mr. Bankes) did not think that he had used any improper phrase when he said they took a considerable branch of the law into their own hands; and when they had done so, it was their duty to keep the law which they had so taken into their hands as pure and free from suspicion as they could. It appeared to him that it was desirable to have this very singular transaction investigated; and as there was no other mode of doing it, he should concur in the Amendment of the hon. Member for Weymouth.

SIR ROBERT PEEL said, the attention of the House had been called to this subject on the Motion of his hon. Friend who had just concluded his address to the House. And his hon. Friend had stated a fact which appeared to him (Sir R. Peel) to be very deserving of the attention of the House; namely, a voter was declared by a Committee to have voted for a candidate for whom he asserted that he did not vote. He said, that thereby his character was injured; that he had uniformly voted for a party professing certain principles; but that the Committee of the House of Commons had declared that he had voted for the opposite candidate, and that the consequence of that was, that the vote which he had given for one candidate was given to another. It was quite clear that by the statute law of the country, so far as the seat was concerned, that was decided. There could not be a question of it that the present Member for the town of Bridport (Mr. Romilly) was entitled to the seat. He had a statutable parliamentary right to it; and no decision on the part of that House, no other authority than that of an Act of Parliament, could deprive that Gentleman of the right to which he was entitled by the statute law of this country. Redress, therefore, even if wrong had been committed, would not be given in that case; but it was for the House to consider whether or no, on an allegation of a petitioner that injustice had been done to him, they would not institute an inquiry into that specific case. He confessed that, in his opinion, an inquiry ought to be instituted into that specific case. If there was no other mode of conducting the inquiry, he should vote for the original Motion, namely, that the party should be called to the bar; but he thought there was another and more efficacious mode of conducting the inquiry, namely, by means of a Select Committee. That Committee would have the power of examining the evidence, and the inquiry would be much more complete before a tribunal of that kind than it probably could be if the time of the House were occupied in hearing the party at the bar. He proposed, therefore, that a Select Committee should be appointed to inquire into the facts. Then came another question—whether they should institute a more extensive inquiry. He must say, he believed it would be much better in this case to adhere to the law which was passed at the instance of the noble Lord (Lord John Russell), and not institute an inquiry, except it were an inquiry under the provisions of that Act. There was nothing he should regret more than that that House should undertake to interfere unnecessarily in this case. There was a constant tendency on the part of the House to draw within the sphere of its own functions those matters which should be referred to tribunals constituted under the law, and with functions defined by statute. What were the provisions of the Act proposed by the noble Lord? That Act was calculated, he (Sir R. Peel) apprehended, to defeat the concealment of improper practices, by means of compromise. It contemplated a double object—the defeat of compromise, and also the defeat of attempts to prevent inquiry into bribery by lapse of time. The noble Lord's Act gave the Committee appointed to adjudicate upon election matters the right to make a special report; to state that there was reason to apprehend that the inquiry into bribery had been defeated by means of compromise; and on making that special report there was reserved to the House full opportunity of instituting an inquiry. The House assumed that the Select Committee appointed to adjudicate upon the election, would, if they saw sufficient grounds, have made a special report, and provoke their inquiry. If there had been sufficient grounds to institute an inquiry into the fact of compromise, the Committee over which the right hon. Gentleman had presided should have made that report. His presumption was entirely in favour of the integrity of the Committee, and of the acuteness and judgment of the members who composed it. The House devolved upon them the power of saying whether there should be an inquiry into compromise or not. They had the facts before them—they made no special report to the

House—they were not prepared to recommend that special inquiry which the House directed should be instituted on special report. Now, what as to bribery?—what was the mode of instituting an inquiry as to bribery? It did not depend upon the presentation of a petition within fourteen days after the election. The noble Lord's Act provided that in case any one person entitled to vote should allege extensive bribery, and within three months after an act of bribery was alleged to be committed, should petition that House, in that case an opportunity should be afforded of instituting an inquiry into that alleged bribery. It was not necessary to prove extensive and general bribery; he apprehended all that was required was that the petitioner should state his belief that extensive and general bribery prevailed in a particular borough — that he should bring proof of the act of bribery, one or more acts of bribery, and enter into recognizance that he *bonâ fide* entertained the belief which he professed to act upon. And if he did allege extensive bribery, and enter into recognizance, provision was made for the appointment of a Committee, which would institute that inquiry, and it was enacted that that Committee should have all the functions and power that an Election Committee should possess. That Committee was to have the power of examining witnesses, and was armed with all the powers which a mere Select Committee of the House of Commons did not possess. And all its functions were called into action by the petition of one single voter, alleging his belief of general and extensive bribery, and that he was prepared to enter into recognizances to prove it. And did the Act impose on the petitioner the pecuniary expense of instituting that inquiry? On the contrary, it provided that if the Committee reported that there were reasonable grounds for the allegation in the petition, the Committee should have the power to order that the costs of the petition should be borne, as in the case of any public matter, with reference to which an inquiry had been directed by the House of Commons. If they were dissatisfied with that law let them alter it. It appeared to give extensive powers for inquiry into compromise —it appeared to give extensive powers for inquiry into bribery; and what it required was, in case a petition was presented, the party presenting it should have a vote, and enter into a recognizance to prove it. The noble Lord had brought forward that Bill after the institution of that Select Committee which was appointed at the instance of the hon. Member for Bath. The general feeling was, that when the proceeding did directly affect the right of a seat in that House—when it affected the rights of a Member of Parliament, that it would be be inconvenient to appoint a Committee on any Member undertaking to prove certain allegations. It was thought to be inconvenient to appoint a Select Committee without an allegation upon oath, and the noble Lord offered this remedy. He said, "I give you this opportunity for inquiry into the allegation before a Committee—I will enable you to institute that inquiry within three months after an act of bribery is committed, on the petition of any voter, and I save him harmless from pecuniary expense, if the Committee certify that his allegation was probable, and that there was reason for entertaining the belief that bribery had been committed." That Bill was passed to give security to Members (after their right to their seats was decided upon) from vexatious inquiry. Those were the provisions of the law, and he saw no reason whatever to question the policy and justice of that law, for he thought that further opportunities should be given for inquiry by a tribunal armed with all the powers that an Election Committee possessed. It was quite competent for them to alter that law; but while the law remained in force, and until its inadequacy was proved, were they prepared to see all the ill consequences that would arise from the House interfering? Whether this tribunal was deficient or not, seeing the injury to the character of the House, what at a former period of their history—50 or 60 years since—was inflicted by party spirit deciding the right to vote; and, seeing the tendency of the House to interfere with the decisions of Committees, he for one should resist any other inquiry into this matter except that inquiry which was sanctioned by the law proposed by the noble Lord, and which would have for its object to rescue the character of an individual who alleged that he had been injured."

Mr. CHRISTIE was willing to adopt the suggestion of the hon. Members for Cockermouth and Oxford, and leave out the latter words of his Motion, namely, "and also whether and to what extent bribery and treating were practised at the last election for the borough of Bridport."

Mr. T. DUNCOMBE observed, that if

they did not inquire into the allegation of compromise, and their reason for it, they would not do anything. The petitioner, Rockett, complained that the Committee had transferred his vote from Cochrane to Romilly without his consent; and he said in his petition, such a proceeding was repugnant to his feelings, and highly indignant to his character. They complained of this; and if there was only to be an inquiry into this man's character, it would be a mere waste of time, for they might at once admit that the course taken was "highly indignant to his character." If any one possessed of common sense read the evidence taken before the Committee, and printed by order of the House, he would at once see that it had been completely bamboozled. The Committee, before it struck off the name of Rockett, should either have sent for that person, or had some better evidence than that of Welch. It appeared as if the learned counsel for Mr. Cochrane had been retained against him, and that they were resolved that Mr. Romilly should be declared duly elected. Was the evidence which had been printed of such a nature as to justify them in depriving a Member of his seat, or was it such as should satisfy the House? Was it not clear that the object of the whole proceedings before the Committee was to defeat the Act of Parliament? He hoped that the House would go into the case of compromise.

MR. LABOUCHERE could not agree that the principal thing to be inquired into was, whether an injury had not been done to Mr. Rockett. There was another question, of far greater consequence—namely, whether a fraud had not been practised on the Committee of the House. There was a *primâ facie* case that fraud had been practised. He did not cast the smallest imputation on the Committee, but it was quite possible that a plan might be concocted in a borough to practise a deliberate fraud on a Committee; and if there was reason to suppose such had been the case, it was due to the House and the Committee to inquire into the fact. It had been said that it would be improper to inquire whether extensive bribery existed or not, because the proper remedy was to present a petition under Lord John Russell's Act. But what was the use of inquiry into a compromise if no inquiry was made into the bribery? A compromise was no offence. It might be a matter of perfect propriety if further investigation would be a mere waste of time. A compromise was only an offence when it was done to conceal bribery.

MR. HENLEY said, the discussion which had taken place on the question, would increase the opinion out of doors that election inquiries were little better than a farce. The allegation in the petition was bribery and treating; but the decision given by the Committee was on a point not sent to them by the House. How came the question of bribery to get the go-by? The Gentlemen on the Treasury bench said, that bribery should be inquired into by the Bill of the noble Lord; but, in his opinion, that Act was framed for the express purpose of eluding all inquiry into that subject. In point of fact, a general understanding existed in boroughs not to petition on the ground of bribery, lest their borough should be disfranchised; but when they did petition, to petition on some general allegation, calculated to throw dust in the eyes of the public. Unless the House granted the inquiry proposed by the hon. Member for Weymouth, the whole matter, from beginning to end, would be a mere farce. The question was, whether a compromise existed or not; or had the Committee been bamboozled, as the hon. Member on the other side stated. That required to be cleared up and set straight; if not the general opinion would be that the House shut the door against all inquiry.

Motion and Amendment withdrawn.

MR. CHRISTIE moved his Amendment as a substantive Motion.

The ATTORNEY GENERAL moved, as an Amendment, the omission of all the words after "Romilly."

The House divided on the Question, that the words proposed to be left out stand part of the Question:—Ayes 47; Noes 47.

List of the AYES.

Bankes, G.	Escott, B.
Barnard, E. G.	Gisborne, T.
Bennet, P.	Henley, J. W.
Bentinck, Lord G.	Hume, J.
Bentinck, Lord H.	Inglis, Sir R. H.
Beresford, Major	Lambton, H.
Blackstone, W. S.	Law, hon. C. E.
Borthwick, P.	Lawson, A.
Bowring, Dr.	Lowther, hon. Col.
Brotherton, J.	M'Carthy, A.
Burrell, Sir C. M.	Marsland, H.
Christopher, R. A.	Morris, D.
Collett, J.	Napier, Sir C.
Curteis, H. B.	Neeld, J.
Duke, Sir J.	Powell, C.
Duncombe, T.	Protheroe, E.
Elphinstone, Sir H.	Rashleigh, W.

Rich, H.	Tyrell, Sir J. T.
Scott, hon. F.	Wakley, T.
Spooner, R.	Wawn, J. T.
Stuart, Lord J.	Williams, W.
Tancred, H. W.	Wodehouse, E.
Thornley, T.	TELLERS.
Tollemache, J.	Aglionby, J.
Trelawny, J. S.	Christie, W.

List of the NOES.

A'Court, Capt.	Hay, Sir A. L.
Antrobus, E.	Herbert, rt. hon. S.
Barkly, H.	Hinde, J. H.
Baring, rt. hon. W. B.	Hope, G. W.
Blackburne, J. I.	Hudson, G.
Bowles, Adm.	Hutt, W.
Boyd, J.	Kelly, Sir F.
Bruce, Lord E.	Labouchere, rt. hon. H.
Cardwell, E.	Lygon, hon. G.
Carnegie, hon. Capt.	Mahon, Visc.
Chichester, Lord J. L.	O'Connor, Don
Clay, Sir W.	Palmerston, Visc.
Clerk, rt. hon. Sir G.	Peel, rt. hon. Sir R.
Cockburn, rt. hn. Sir G.	Peel, J.
Corry, rt. hon. H.	Russell, Lord J.
Courtenay, Lord	Somerset, Lord G.
Douglas, Sir C. E.	Stanton, W. H.
Fitzroy, hon. H.	Stuart, H.
Gladstone, Capt.	Thesiger, Sir F.
Goulburn, rt. hon. H.	Trench, Sir F. W.
Graham, rt. hon. Sir J.	Vivian, J. E.
Greene, T.	Wood, C.
Grimsditch, T.	TELLERS.
Hamilton, Lord C.	Young, J.
Harcourt, G. G.	Cripps, T.

MR. SPEAKER said, that as the House had no better means of forming a judgment upon the question than the Election Committee who had already declined to entertain it, and as it would still be open to any elector of the borough, under the provisions of the Act 5 and 6 Vict. c. 2, to present a petition to the House, praying that a Committee, having power to examine upon oath, might be appointed to investigate the subject of bribery and compromise, he therefore declared himself with the Noes.

The Question, as amended, was put from the Chair.

MR. HUME moved the adjournment of the debate until Thursday, as Mr. Christie and other hon. Members had gone away thinking the question was settled.

Debate adjourned.

RAILWAY COMPANIES DISSOLUTION BILL.

House in Committee on the Railway Companies Dissolution Bill.

On Clause 11,

MR. GISBORNE objected to the great powers that the Bill proposed to give to a minority of shareholders.

SIR G. CLERK remarked, that cases might occur in which parties connected with a scheme might wish to force it on by undue means, and with that view continue to have their meetings held at a period when it would be extremely inconvenient for the shareholders to attend. To avoid that, the Bill enacted that such meeting might be adjourned, to afford greater facilities to shareholders to record their assent or dissent.

MR. HUDSON observed, that those persons who might be favourable to the prosecution of a scheme against the desire of the minority of the shareholders, could, after the dissentients had withdrawn, reform themselves into a new company to carry out the project. He inclined to the opinion that every facility ought to be given to the minority to relieve themselves from future liability.

Clause agreed to.

Bill passed through Committee.

House resumed.

Bill to be reported.

House adjourned at Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, May 20, 1846.

MINUTES.] PUBLIC BILLS.—1°. Places of Worship, &c. Sites (Scotland).

Reported. Corresponding Societies and Lecture Rooms.

3°. and passed. Viscount Hardinge's Annuity (No. 2); Viscount Hardinge's Annuity; Lord Gough's Annuity; Explosive Substances.

PETITIONS PRESENTED. By several hon. Members, from a great number of places, complaining of Refusal to grant Sites for the Erection of Churches for the Free Church in Scotland.—By Mr. Spooner, from Members of the Church of England Lay Association of Birmingham and its Vicinity, against the Roman Catholic Relief Bill.—By several hon. Members, from various places, against the Union of the Sees of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—By several hon. Members, from various places, in favour of the Roman Catholic Relief Bill.—By Sir Robert Harry Inglis, from Ministers and Elders of the Presbytery of Dumfries, against the Abolition of Tests in the Scottish Universities.—By Mr. Newdegate, from the Royal Birmingham and Midland Counties Art Union, and by Mr. Blackburne, from Merchants, Artists, Manufacturers, and others, Inhabitants of Warrington and its Neighbourhood, in favour of the Art Unions Bill.—By Lord John Manners, from Inhabitants of the Parishes of Radford, Long Eaton, Lenton, Snienton, Basford, and Sawley, unconnected with Bobbin Net and Wash Lace Machinery, and by Mr. Thomas Duncombe, from Inhabitants of Nottingham, for Limiting the Hours of Labour in Lace Factories.

DISTRESS IN IRELAND.

MR. P. SCROPE begged to ask the right hon. Gentleman the Secretary of State for the Home Department whether the attention of Her Majesty's Govern-

ment had been called to the extraordinary distress which was said, according to the local accounts, to prevail in the town of Mallow, in the county of Cork? There was a population in that town of between 10,000 and 12,000, out of which number no less than 6,000 were in such a state of destitution as to be altogether in want of food. This was within the district comprised in the labours of the relief committee of Mallow; and it was stated in the accounts which he had received, that in this same district the relief committee had been able to collect only 400*l.* or 500*l.*, towards which, with the exception of 50*l.* given by the hon. Member for Mallow (Sir C. Norreys), the landlords in the district had subscribed under 50*l.* altogether. There were instances of landlords in that locality, who drew from it rents to the amount of 10,000*l.* or 12,000*l.*, subscribing 3*l.*, 5*l.*, and 7*l.* only, and of some who refused altogether to subscribe. And this was not a singular case; for he had presented a petition the other day from the county of Limerick, in which it was stated similar distress prevailed, and that there was a similar absence of contributions on the part of the large body of landlords. Under these circumstances, he begged to ask the right hon. Gentleman, first, whether his attention had been called to the existing distress in Mallow; and next, whether Her Majesty's Government had taken into consideration the precedent of 1783, when, as was clear from the returns obtained by the hon. Member for Aberdeen—there being at that period a similar calamity to that which now afflicted Ireland, extending over the west coast of Scotland—Parliament passed a short Act, enforcing relief from proprietors in the district by a compulsory assessment upon their property to the extent of 14 per cent upon their rental? He would not enter into an argument to show the applicability of this precedent. But, seeing that the Government had not introduced any measure for compelling the landlords of Ireland, as the landlords of Scotland were forced in that instance, to afford relief, he wished to know from the right hon. Baronet whether it was intended to follow that example; in other words, whether Government would allow the summer to elapse, leaving the misery of Ireland to be relieved by the voluntary contributions of landlords who had so clearly failed to do their duty, or whether they would not, by compulsory means, enforce the performance of duties which common humanity, if not the law of the land, required from them?

SIR JAMES GRAHAM said, his attention had not been specifically called to the case of Mallow, as the hon. Gentleman had not given him notice of the questions he had put; but, fortunately, the representative of Mallow had been attending to his duties in Parliament, and probably the hon. Baronet would be able to give the hon. Gentleman a more accurate description of the state of Mallow than he was able to give. With regard to the destitution in that neighbourhood, a Commission was sitting day by day in Dublin, for the purpose of receiving communications relating to local distress; immediately upon the receipt of any such representation, inquiries were instituted upon the spot, and any assistance which could be given to the local contributions was accorded by the Government. There had been no direct communication with the Government here upon the subject. With regard to the second question put by the hon. Gentlemen, whether it was the intention of Her Majesty's Government to act upon the precedent brought under their notice, when destitution of a similar kind prevailed on the west coast of Scotland, he (Sir J. Graham) had already stated to the House, that in the present year, and under present circumstances, it was not the intention of Her Majesty's Government to propose a land-tax in Ireland to meet the prevailing distress. It was not their intention to introduce measures of that description at the present moment. What might be their future policy, was much too great a question to enter upon now.

LACE FACTORIES BILL.

MR. T. DUNCOMBE said, that in asking the House to consent to the Second Reading of this Bill, which he had had the honour of introducing, in connexion with the hon. and gallant Member for South Nottinghamshire (Colonel Rolleston), he was not insensible to the difficulties he had to encounter. Those difficulties were not diminished in consequence of there having hitherto been no legislative interference with the lace manufacture. But, having convinced himself that it was expedient and highly necessary, if the House regarded either the morals or the social comfort of the classes to whom the Bill applied, he had, at the desire of several persons from the neighbourhood of Nottingham, undertaken the charge of the measure.

This question did not stand in the same position as that which was commonly called the factory question, in consequence, principally, of there having been no legislative interference with respect to it. The factory question was a question of degree: the question on this Bill was, whether there should be any interference or not in the manufacture of lace in lace factories. The question was, not whether there should be a certain number of hours' work or not, but upon the principle of interference or non-interference. There might be some details in the Bill which were objectionable. Some Gentlemen, he knew, thought it ought to be restricted entirely to children; others, that it did not go far enough; others, again, that it went too far. All these objections might be removed in Committee hereafter, if the House assented to the principle of the Bill, namely, that there should be legislative interference in lace manufactories. What was the state of the lace trade in this country, and what was the system pursued with regard to lace factories? In the first place, as to a great portion of the lace trade, and more especially with regard to the factories moved by steam or water power. The engine began to run at twelve o'clock on the Sunday night, and it did not stop till twelve o'clock on the Saturday night following. The engine was kept in motion throughout the whole week. Let it be recollected that this was in a species of manufacture which could not be carried on without the assistance of children; and there was no legislative interference or restriction upon the children employed in those manufactories which were at work through the whole week. In the Factory Bill, children under 9 were restricted from being employed; and from 9 to 13 they could only be employed six hours a day. But what would the House say when they were informed that in these lace factories children from 6 to 8 years old were employed—that they were up all night, and, in fact, that many of them never saw their beds? They were employed in winding the bobbins, and in preparing the machines; they lay upon the floor; and they slept as well as they could. Some who resided in the immediate neighbourhood of the factories went home, but they were called up every two or three hours during the night to wind at these machines; and the complaint, which was very properly stated in the petition he had just presented, was, it could not be supposed they were brought up as children ought to be. He asked the House whether such a system could be otherwise than extremely injurious and prejudicial to their health as well as to their morals? And he appealed to his hon. and gallant Friend the Member for South Nottinghamshire (Colonel Rolleston), who knew the fact in his capacity as a magistrate, whether such employment of children was not a prolific source of crime in that neighbourhood. When these children left the factory for three or four hours in the morning, how were they occupied? Why, in robbing gardens and orchards, and in other depredations. They were sent out by the adults for that purpose; and when they returned, the spoils were divided among the adult operatives in these factories. Very often poor peasants residing in villages had been suspected of these crimes, whereas they had been committed by the children from the lace factories, sent out for the purpose. There could, indeed, be no doubt it was most detrimental and injurious to the children themselves. He referred the House for proof of the necessity for interference to the evidence given by Mr. Saunders and Mr. Berry, before the Committee upon Mills and Factories, over which Lord Ashley presided in 1840. He knew contrary opinions had been given by inspectors of factories on this subject. Mr. Saunders and Mr. Berry, however, were both inspectors, and they were decidedly in favour of restrictions in lace factories; both testified to the necessity for legislation on this subject. One consequence of the system of keeping the mills running during the whole week, night and day, was, that those persons who made lace by hand in their own dwelling-houses were obliged to work all night, in order to keep pace with the factories. A prejudice had been raised against this Bill on this account, and the persons who possessed power mills said it would be unfair to put any restrictions on them, unless the same restrictions were extended to the manufacture by hand-power. He (Mr. Duncombe) thought so too; but the most remarkable part of this question was, that the people engaged in the hand-power factories were more in favour of this Bill than any others. [Sir J. GRAHAM: Because it does not apply to them.] His right hon. Friend said the reason was because they did not think it would apply to them. The true reason was, because it imposed limitations upon the hours of labour. Altogether 2,450 children were employed on bobbin-net machines, worked by

steam or water power. Of these the number under 13 was 1,300, and above 13 there were 500, and on warp-lace machines 650. Before hon. Members offered any opposition to this Bill, they ought to consider the state of disease produced by the system of night work. Dr. Hutchinson, whose experience was of more than sixteen years in attendance on factory patients, stated his opinion as to its effects. The diseases which it was calculated to produce, and which were amongst its most common consequences, were dyspepsia, nervousness, and dangerous affections of the brain. Besides these, there were still worse consequences, namely, the total destruction of the moral habits. This was most fully established by the testimony of Mr. Small, who, as an illustration of the bodily effects of this overworking, added, that the fact of a man being an operative in some of these factories disqualified him from becoming a member of a benefit society. Mr. Small, on these grounds, strongly urged on the Government to interfere so as to protect the life as well as the labour —the poor man's only capital—from being destroyed by such a vicious system. What he was anxious to effect by the Bill was to restrict the hours of labour to sixteen per day; that was, from six o'clock in the morning to ten at night. Would any man say that that was too little labour for a man in a day? To effect this, he would prohibit the opening before six, and keeping open after ten. The Bill would also prohibit the employment of children under 8 years of age; at present they were employed, and in the night; but surely there could be nothing very injurious to trade, or hard upon these manufacturers, in that prohibition. It might be asked, why not confine the Bill to infantile labour? That would be a point to be decided by the House in a future stage; and if the opinion of the House should be in favour of so confining the Bill, he (Mr. Duncombe) should be ready to consent to that. It might also be urged, that there would be danger of many evil results, if the House once interfered with adult labour by express enactment; but, in fact, that was done already virtually and effectually by the Factory Act at the present moment, because the adult labour could not be carried on without the assistance of young persons, and that was an argument used against the New Factories Bill the other day. Certainly he (Mr. Duncombe) proposed to do it now in express terms, because his Bill would enact that there should be no labour after ten o'clock at night. The House heard sometimes that trade and manufacturing industry ought to be free from legislative interference. Now, that non-interference system had had its full swing in the case of the lace manufacture; and what was the consequence? Why, there was disease, discontent, and demoralization; and no operatives were so depressed as these. That was the consequence of non-interference; here was a proof and illustration of the results of that system. Again, he had to ask the House not to reject the Bill on the second reading, unless they objected altogether in principle to any interference with the manufacture of lace. He was calling on the House to agree to the Bill with the consent of four-fifths of the proprietors and owners of the property embarked in the lace trade; with the full consent of every operative, whether in the private, or what might be called the public, factory, that which was moved by steam power; and with the full consent of all the inhabitants of Nottingham, the district particularly concerned, who had seen the working of this system; and he hoped and trusted the House would not disappoint their just, and, he would say, their humane expectations. He now moved that the Lace Factories Bill be read a second time.

SIR J. GRAHAM said: The hon. Gentlemen who has moved the second reading of this Bill has made a strong appeal to me, and has asked me, at all events, not to resist the second reading; and he has stated that he brings forward this measure with the consent, I think, of four-fifths of the master manufacturers employed in this trade, and with almost the unanimous consent of the workmen. With reference to the consent of the master manufacturers, I have not the means of definitely ascertaining in what proportion they are favourable to this measure; but certainly the information I have received is decidedly at variance with the statement of the hon. Member. However, as I see opposite to me the two hon. Members for Nottingham, and one of the hon. Members for Derby, I will not, at this moment, enter into any dispute as to the feelings and wishes of the master manufacturers, because these hon. Members are better able than I am to go into that part of the statement just made to the House. With respect to the feelings of the working classes, it cannot be dissembled that their wish must naturally be, in the first instance, that some restriction

should be put by legislative enactment upon their continuous labour. Their first impressions, their natural impressions, are strong in favour of such a Bill. But it is needless to say that their hopes and their belief are, that if this restriction be imposed, their physical condition will be improved. It is for us, as legislators, to consider whether the interposition of such a restriction will produce that desired effect; and it is precisely because I have come to the opposite conclusion, that this legislative interference now sought would produce upon their condition the worst possible effects, that at once and without hesitation, I feel it my duty to resist the further progress of this Bill. It is right that the House should remember that the question, whether the lace trade should be included under the operation of our restrictive factory law, is not a question new to Parliament, We have legislated with respect to the factories for nearly twenty years; the subject has undergone frequent discussion both in the House itself and before Committees, and careful inquiries have been instituted. The danger of this description of legislation has been felt by the Legislature; and even while it has taken progressive steps, they have been taken with much caution and with hesitating anxiety. Antecedent to legislation, there have been inquiries both by Committees and by Commissioners. It was impossible that so important a branch of our manufactures as the lace manufacture should not in the course of this legislation and of these proceedings, have been carefully considered; and up to this time, on grounds hitherto held sufficient, the difficulties in the way of introducing into that trade restrictions of the nature proposed, have appeared to Parliament, to its Committees, and to Commissioners, to be insuperable. We are today called upon to come to a decision precisely the reverse of that at which the Legislature, with the best help, has hitherto arrived. Now, considering the importance of the subject, and the immense amount of capital involved in this question, as well as the physical condition of this part of the labouring population, I think the House will pardon me if I bring under their consideration certain facts bearing on the subject which it is desirable that they should recollect before deciding to proceed with this Bill. In the first place, by far the greater part of all the lace manufactured is produced, not by machinery wrought by power, but by hand-loom machinery; and here at once there is presented a very striking difference between the lace manufacture and the cotton manufacture, in which by far the larger porton of the wrought article is produced by machinery worked by power. The hand-loom weaver in the cotton trade protracts indeed a struggle with machinery worked by power; but his struggle is almost a desperate one, and I fear in the long run he must be defeated. But the converse is the case with the lace manufacture; and this opens a most important view of this subject. The hand loom lace manufacture is not conducted in dwellings where a large number of looms are brought together, but the looms are scattered either in small workshops adjacent to the dwelling-houses of the weavers, or if not (and I am told even to a greater extent), in single hired apartments upon the upper floors of dwelling-houses. If, therefore, you are to deal with this manufacture by inspection, the inspectors must have access both by night and day, not only to the dwelling-houses of the weavers, but to every house where a weaver may lodge, occupying perhaps only a single room in that house. I must mention also the extraordinary expense of the machinery employed. The power-looms employed in the cotton trade may certainly be stated to cost not more than from 50*l.* to 100*l.* at the utmost for an average loom; but the cost of a single-lace loom, with the whole of the modern machinery, is not less than 300*l.*, and it may be 1,000*l.* I am told that a new one has been prepared within the last three months the cost of which was not less than 2,000*l.* This consideration, of the cost of machinery, bears very materially upon the question how many hours that machinery shall be allowed to run. But that is not all—there is this fact also in respect to the lace manufacture, that the demand for lace varies with fashion, and with the fancy for any particular pattern; and I am told that with each change of pattern it is necessary to make a considerable and extensive change in the loom itself. The taste for any particular pattern does not ordinarily last more than six or seven months. Now, consider that you have a loom, the original cost of which is 2,000*l.*, to produce an article, the taste for which does not ordinarily last for more than six or seven months, and at the expiration of that period the loom itself must undergo an extensive change to meet the next fashion. There is nothing at all corresponding to this circumstance in the manufacture of cotton, that great branch of

our manufactures which has been made the subject of this species of legislation. Again, let the House refer to the number of persons employed, and the species of labour which is in use. A girl between 13 and 18 years old is quite competent to conduct the manufacture produced by four power-looms in the cotton trade, and it is much the same in the silk and woollen trades; but in the lace trade there must be one adult male person to each power-loom; and two if it is employed for twenty hours, and in some cases it is necessary that there should be one boy employed in addition to each adult. I will next call the attention of the House to the extent of our export of lace, and the nature of our foreign competition. From two-thirds to one-half of all the lace manufactured in this country is exported; this trade, therefore, is to a great extent dependent upon foreign demand, and upon the successful competition of our lace manufacturers with foreign competitors. Observe what has taken place regarding this trade within the last few years. We used to export lace, by smuggling, to France, to be again exported as French lace from that country. Within sight of our own shores, at Calais, upon the opposite side of the channel, lace manufactories are now established with all the modern improvements, without any disadvantage of any sort, and with the paramount advantage of a lower rate of wages; and we have to meet the French lace in the German markets—we have to contend against all the advantages possessed by the French; and even in the British market French lace is imported in considerable quantities. ["Hear!"] Yes, I understand the cheer. I do not dispute the fact of lower wages; but I say place the English manufacturer in all respects on an equal footing with the Frenchman; and then you will find that the Nottingham lace manufacturer will be willing and able to meet the Frenchman either in the English or in the French market. But whilst the English manufacturer is exposed to undue disadvantages—I hope these disadvantages are now certain to be removed by the repeal of the Corn Laws—you cannot expect him to compete successfully with his continental rivals. But whilst you abolish one species of restriction, I hope you will not unwisely, thoughtlessly, and heedlessly place the English manufacturer under other restrictions not less galling or perilous. I must beg the House to observe, that on reference to the evidence taken before the Children Employment Commission, it will be found that the principal causes which are there enumerated, of the evil effects of over-work and long hours upon children, are not in the case of factories wrought by power, but in the private workshops and even in the private dwelling-houses of the hand-loom weavers, who are the competitors of the power-loom weavers. Now the hon. Member proposes to extend his Bill beyond that which has hitherto been the limit of our interference, namely, machinery wrought by power; and he says that to meet the evil you must go one step further than you have yet done, and deal with this manufacture without reference to locality or to power, and interfere wherever it is carried on, even in rooms and private dwelling-houses. He says also, and it is perfectly true, that he for the first time avowedly and directly deals with male adult labour. Nothing can be more frank than that statement of his; he says, I ask you not only to limit the hours of male adult labour, as applied to machinery wrought by power, but, throwing aside all the arguments in favour of past interference, which consist in assertions that to run human industry against never-tiring machinery is cruel, and that in that struggle human strength is over-taxed and over-wrought—discarding all those considerations (he says), I mean to interfere with male adult labour, not only in conjunction with machinery, but wherever that industry may be applied, even in the dwelling-house of the hand-loom weaver. Now the House, I think, will pause before they introduce a principle so new, coupled with the inference, also novel, that actually your right of inspection or regulation shall extend to the dwelling-houses of the labourers themselves. I must also warn the House, with reference to some countenance which has been given to this measure by certain master manufacturers manufacturing lace by power. I have stated to the House the immense cost and value of the modern machinery applied to the manufacture of lace—it is very expensive and very superior; but there is a great deal of old lace machinery, of much less value and of much less power of production, and consequently the owners of that machinery are not indisposed to restrict the hours of their rivals in the trade who possess the superior and more costly machinery; any restriction upon the hours of working improved machinery is a regulation in favour of the owner of inferior and

less costly machinery, and decidedly disadvantageous to the proprietor of the modern and more costly. With regard to the hours of working machinery in the lace trade, I differ from the statement of the hon. Member. I am not informed that in any case the machinery runs continuously from the Monday morning till the Saturday night; on the contrary, I believe that the utmost length of time in twenty-four hours, for which machinery runs, is twenty hours, and that whenever the machinery runs for twenty hours out of the twenty-four, the labour is conducted by spells, by reliefs, no person working above eight hours continuously; and with reference to children, the labour is remarkably light, and not continuous. Now the hon. Member has put it to the House under these circumstances, whether they shall or shall not interfere by legislation. He stated, I think, and stated truly, that the morals and health of the population employed, are, after all, the primary consideration to legislators. I do not myself believe that the morals and health of the working classes, or their physical condition, can be improved by any course which shall permanently diminish the demand for their labour, lower their wages, and leave them in a state of hopeless destitution instead of full employment. I am strongly of opinion that in a short time that truth will be found to be irresistible, and that those who really desire the health, the comforts, and the morals of the labouring classes, will take care not so to legislate as to interrupt the continuous demand for their labour, upon which their wages depend. Before you embark in this species of legislation, interfering with male adult labour, interfering with manufactures conducted not by power, but in private dwelling-houses — before you go deeper into the stream, let me call upon you to consider into what a vortex of absurdity, and error, and mischief, you will be drawn. I could produce to you cases ten times stronger than any that the hon. Member has referred to. I believe Lord Ashley mentioned cases of continuous labour on the part of females, not for many hours out of the twenty-four, but in some cases two days and nights of uninterrupted labour. If you interfere in the case now brought before you, must you not interfere with the private labour of the parties, whose misfortunes—if these are to be considered misfortunes—are far more touching than those of the lace factories? Then again you interfere in the case of the lace makers; but what do you say to the pin makers, the nail makers, the fustian cutters? You cannot stop short; if you begin to regulate the intensity of competition, there will be no species of labour with which you will not interfere by legislation. And when you do that, you will affect the earnings of labour; and you cannot, in justice to the workmen, stop short of the establishment of a minimum of wages. That will be the inevitable consequence; and what then? Why, capital will "make to itself wings, and fly away:" under such circumstances it will infallibly go to other countries where no such restrictions are in force, where there are water power and many other advantages which we do not possess, in addition to a lower rate of wages, than your minimum established by law. The commencement of this career will be the downfal of our manufacturing prosperity; and I hold that we have arrived at a stage in our social condition, when the downfal of our manufacturing prosperity will be the loss of our position among the nations of the earth. I will just glance at some of the objections of detail which may fairly be made to this Bill. I have stated that my first objection was the interference which it proposes with regard to adult labour; and there was another grave objection to it which the hon. Gentleman seems to have overlooked. If this Bill were to pass into law, it would seem to recognise the principle, that it is not inexpedient that children should work from six in the morning until ten at night —children eight years of age and upwards. But any sanction give to the plan of working children of so tender an age as eight years from six in the morning until ten at night, would be quite inconsistent with what we have hitherto done as regards children employed in other departments of manufacturing labour. I thought I should have to meet an objection, which the superfluous frankness of the hon. Gentleman has spared me the trouble of encountering. I had some doubts as to the interpretation of the word "factory." I thought it meant—as it has hitherto been defined in legislating on such subjects—a building in which machinery is wrought by power. The term is used ambiguously in the Bill; but it is plain that the hon. Member would give it a much more extensive signification than it has hitherto received, for he says, his desire is to embrace lace manufactories whether lace be made in them by power or by handlooms—whether in a public building or a

private dwelling—where there are many looms, or where only a single hand-loom is employed: in short the word "factory" in his Bill includes every place where lace is manufactured. Now, if it were confined to power, you are placed in this plain dilemma—your provision would be most unjust, as it would place the power manufacturer under such disadvantage, owing to the peculiarities of his trade, that the manufacture of lace by power must be extinguished, and we must leave it to our French rivals exclusively, as with such an enactment lace could only be manufactured in this country by hand. Then, if you restricted the law to lace manufactured by hand, you must, in that case, discourage that species of labour which is least severe. Supposing, however, you extend it to all, how are you to carry your Act into operation? You can only enforce it by one of two means—either by inspection or by means of the common informer. If by the former, then all the objections that ever were raised to Walpole's excise laws would be nothing compared to those which would apply to this case. Only think of officers being at liberty to visit private houses at any hour they thought proper, by night or by day; think of them entering the bed-room of a family, which is often the very room where the labour of the loom is conducted. If a weaver continues his work during a long winter's night, after ten o'clock, then you must have an inspector to enter his bedroom at any hour he may please, nominally for the purpose of inspection, but really, from what we know has been done in other countries, often for very objectionable purposes. These objections appear to me insuperable; and in this country, whatever be your legislation, I trust the right of domiciliary visits will not be tolerated. Then we come to the other alternative—that of encouraging common informers, giving a certain sum out of every penalty recovered to any man who chooses to become a spy upon his neighbours. And what is the great crime which would be here committed? If a man, under the pressure of distress, works after ten o'clock at night, with the view of adding to his small income, and of eking out the wretched subsistence of his wife and children by the fruit of his own industrious exertions; the common informer, who may, perhaps, owe him a grudge, gives information, and procures a conviction against him. Let the House consider what would be the moral effect of all this. It would introduce a most fatal spirit of resentment among the workmen themselves—jealousies would be encouraged, and next-door neighbours, for the worst of purposes, would be led to act the part of spies upon each other. It would produce effects most dangerous to the peace of society, and it would be a system incompatible—I will not say with the prosperity, but with the very existence of this branch of manufacture. Do we want warning? Let the House, then, reflect on the consequences of having inadvertently included in the Factories Act one branch of our manufactures—that of ropemakers. Why, they are now petitioners at our bar, both masters and men, praying that we should reconsider our deliberations, and see whether or not we shall exclude them from the operations of that law—a law found by masters and men alike to be so injurious to their common interests, as to lead them to tell you that unless you repeal that Act, so far as relates to them, it will be fatal to the continuance of ropemaking in this country, which must be abandoned, and transferred wholly to other countries. And now we are asked to go a step in advance of anything we have hitherto done in regard to interference with labour. We are called on to interfere with male adults in their labours, not carried on in factories only, but even in their own dwelling-houses. I must say, that it is one of the most painful tasks of the office I hold to be thus constantly opposed to popular wishes, I might almost say to popular delusions; but, entertaining the strong opinions I do that this is a fatal step—a step taken in direct opposition to the real interests of the working classes, I should be wanting in my duty if I hesitated one moment to propose that the Bill be read this day six months.

COLONEL ROLLESTON had given the subject under discussion the fullest consideration, and felt it his duty to give his most anxious support to the Bill. He earnestly entreated the House to take into consideration the provisions of this Bill; and if they did not think it advisable to pass the measure as a whole, to carry at least such parts of it as would extend relief to a class who were labouring under oppressions which, if paralleled, were certainly not exceeded, in any branch of the manufactures of the country. The right hon. Gentleman was, in his opinion, under considerable misapprehensions on this subject, and on other points, as to the views of the machine-workers. Now, he had

presented a petition signed by nine-tenths of the machine-holders of Nottingham, in which they strongly expressed their approbation of some measure being introduced especially with reference to the younger branches of the community. At the head of that petition stood the name of the Mayor of Nottingham, and it was besides signed by a great many persons, all of the highest respectability. The right hon. Baronet had referred to the fact of the lace trade having been formerly under the consideration of the House, and of its omission from the Factory Bill. Now, he must admit that he had at first some difficulty in finding why the workers in the lace trade, and especially the children, had not received the same consideration from the Legislature as the workers in other branches of manufactures. With the view of ascertaining how this came to be the case, he had made many minute inquiries, and he had travelled through a great many volumes of reports, and of the debates in that House, before he could arrive at any result as to the cause of this exclusion. He was in the end surprised to find that the only reason given was one, sanctioned by an authority they must all respect—that of Lord Althorp—but which was certainly not a sufficient reason to be brought forward. He found from *Hansard* that, when the Factories Bill was in Committee, in 1833, an amendment was moved that the lace trade should be excluded from the Bill, and the whole of the argument brought forward in support of this amendment was, that there were very few young people employed in the manufacture of lace, and that the measure would include only one-fifth of the trade. On that occasion Lord Althorp said the statements made—

> "Put the lace trade in a very different light from any other, as the Bill would not include more than one-fifth of it; and he would therefore agree to the Amendment."

This was the only ground on which the lace trade had been excluded. There had been many points brought forward by the right hon. Gentleman deserving of notice, but on the present occasion he would chiefly confine himself to the effect the Bill would have on infantine labour; and he hoped the House would not allow itself to be carried away with the notion that it was a measure for giving relief to adult people only. He would lay before the House some points of the evidence taken before the gentlemen appointed to inspect the various factories, from which the true nature of the labour to which children employed in the lace trade were subjected would be seen. The gallant Officer read from the evidence of gentlemen examined in Committee a variety of statements to the effect, that in lace factories at Nottingham, which were kept going night and day, the workers were employed twenty hours a day—that there were children employed from nine to fifteen years of age, many of whom were detained in the factories the whole night, sleeping when not at work upon the floor, and constantly liable to be called up—that those who slept out of the factory were in its immediate neighbourhood, and also liable to be roused from their beds at any hour of the night—that it was no uncommon thing for them to sleep in their clothes, and that they seldom got out of the work-room even to dinner, the general rule being, that whatever number of hours they might be at work, they must be during the whole twenty-four either on the premises or where they could be called out of bed whenever they were wanted, and that the consequence of all this was the continual tear and wear of the physical constitution of those children, who were besides deprived of all opportunities of getting education except on Sundays, when their exhausted condition entirely disabled them from receiving any benefit from it. Another portion of the Bill had reference to adult labour; but in that he saw no great difficulty; his great anxiety was as to the part that related to children and young persons; and he hoped the House would allow the Bill to go into Committee, in order to see if these unfortunate children could not be placed on a better footing. In answer to the question of the hon. Member for Finsbury, as to the moral condition of these children, he felt bound to say, from his experience as chairman of quarter sessions in a district where this manufacture was carried on to a great extent, that hardly a quarter sessions passed without some of these children being brought to the bar as criminals. He cordially supported the second reading of the Bill.

Mr. STRUTT observed, that the hon. Member had referred to a former debate on the Factory Bill that was introduced when Lord Althorp was Chancellor of the Exchequer, and had said that the lace manufacture was excluded from that Bill; and the hon. Gentleman had referred to his (Mr. Strutt's) remarks on that occasion,

which he designated as containing very feeble reasons for that exclusion. That Bill applied only to looms moved by power; and his argument was, that it would be unjust to include the lace manufacture in the Bill, because it would be unjust to apply to machinery worked by hand, as the lace machines for the most part were, the regulations which were applicable to the power looms; that only one-fifth of the lace machines in this country were worked by power, and that the effect of bringing those machines under the operation of the Bill, and excluding the others, would be to give a *bonus* to the latter. Lord Althorp, when urged to include the lace manufacture in the Bill, said, that if the effect of bringing it under the Bill would be to give facilities to the easiest mode of pursuing the manufacture, and to do injury to the hardest, he should not agree to its being introduced. That was the decision of the House of Commons at that time; and he believed that every Committee that had sat since had come to the conclusion that it would be unjust to include one kind of machinery in a Bill of this sort, and exclude another kind. He must say the hon. Member for Finsbury had been perfectly open and candid on the subject. He (Mr. Strutt) had certainly supposed that the hon. Gentleman meant the Bill to apply to looms worked by power, and not by hand in the workman's own house; he had found, however, from the hon. Gentleman that he meant the Bill to apply to all sorts of lace looms, whether hand-looms or power-looms. The effect of that would simply be to prevent any poor workman who might wish to earn something more than usual for his family from getting up at five o'clock in the morning and working as long as he liked. Were the House prepared to sanction that? Would they be prepared to extend that principle to all other trades? There was evil in all of them; but they knew that all the evil in the country could not be redressed by direct legislation. He wished to ask, supposing the Bill passed, how were they to enforce it? Even in large factories it would be found impossible to enfore the provisions of such a Bill without a system of inspection; and was that to be applied under this Bill to every House and every cottage that contained a lace loom? In 999 cases out of 1,000 the Bill would be wholly inoperative; and in the remaining case the probability was that the Bill would be used to gratify private pique or malice. The machinery engaged in this trade was more expensive, and more subject to alterations, than in any other manufacture. One machine cost from 300*l.* to 1,000*l.*, and if too great restrictions as to hours were imposed, the owners could not work them profitably. In his opinion the right hon. Baronet had made out a sufficient case for rejecting the Bill.

SIR J. C. HOBHOUSE, as one of the Members for Nottingham, and as having twenty-one years ago taken up this subject of the restriction of labour in factories, when he brought in a Bill which soon after became the law of the land, with some emendations adopted by Lord Althorp, hoped the House would permit him to address to them a few remarks on this Bill. First, he would remark that those who wished to consider and discuss this Bill were placed in a position of some little difficulty; for anybody to look at the Bill would suppose, as he had done, that it was meant to apply to factories according to the common and trite meaning of that term; and having had various communications with many persons in order to obtain their views, he must say that those views, as well as all the arguments he had made out for himself, applied to the Bill as relating to factories, and not to workshops or private houses. Now, however, his hon. Friend said that he intended the Bill to apply to every part of the trade. The preamble stated that night labour should cease henceforth in all factories where bobbin-net or warp-lace machinery is employed, &c., and that no such machinery should work earlier than six o'clock in the morning, or later than ten at night. That was the preamble; but then there was another part of the Bill relating to infant labour, and there were introduced the words "any shop, dwelling-house," &c. The first enacting part was meant apparently to apply to factories only; but then subsequently it appeared to be extended so as to apply to children in all kinds of houses. His hon. Friend said, that he meant to make it apply to all kinds of private houses. The objection was, that it would be almost impossible to carry such a Bill into effect; and that he (Sir J. C. Hobhouse) apprehended was the reason why enactments to the same effect had not before found their way into statutes for similar objects. As to what had been said of the universal feeling of the masters and workmen, he was sorry to say that that statement was not confirmed by the accounts he had received from Nottingham; so far from it, that he

had presented two petitions from twenty-five master manufacturers against the Bill; and they thought that the Bill applied only to factories, and not to private dwellings. He had thought it his duty to write down to Nottingham to impartial and influential people living there; and from them he found that opinion was greatly divided. It could not be said, therefore, that all the masters were for the Bill. He was empowered by a certain person to say that in Nottinghamshire, Cheshire, and Derbyshire, the universal feeling was against the Bill; but he should not say so, for he did not believe it. What, then, was the principle of the Bill? To put a stop to night labour in these factories. It was so stated in the preamble; but it was not confined to regulating the hours in which children should be employed. It included that certainly; but all the reasons that his hon. Friend had given for the Bill, and all his arguments, had applied to the regulation of adult labour in factories. The real principle of the Bill was to interfere with the night labour of adults in factories. When he first introduced his Bill for regulating the cotton trade in 1821, it was prepared in a very different way; it was not until after the most cautious examination of the subject by delegates from the master manufacturers, and also delegates from the work-people, that the framework of the Bill was settled. He had been in conference with them for three Sessions of Parliament; and after mature consideration, and after a complete agreement between the two parties, he had introduced the Bill which had passed into a law without any very material alterations. It had been proposed to include the lace and flax manufactures into that Bill; but after mature consideration and conference with the operatives it was resolved that those trades should not be introduced; and the reason was this—that there was a good case as regarded the cotton trade, which it was feared would be injured by being mixed up with the lace and flax trades, interference with which it was felt could not be supported. In 1827, in another Bill for the same object of regulating the cotton trade, a similar attempt was made, by certain delegates who waited on him, to introduce these two trades. The whole subject for more than three months was under the consideration of these delegates; and again it was resolved that they would have nothing to do with the lace manufacture; because the parties did not think they would be able to carry any enactments interfering with that trade. The general feeling, then, was that there was a difference between the case of the lace manufacture and any other. He now came to that which was in reality the gist of the business; but he should not go into a statement of the evils of this night work; he would only say that all night work was an evil, and, no doubt, if it could be prevented, not only in these lace factories, but in the House itself, the House would be happy to do it; but the fact was, the House never had been, and never would be, able to prevent it. He held in his hand a statement of a gentleman who had not fewer than 200 persons in his employ in lace factories; and he stated most positively that, for the last ten years, he had only two boys who had ever been brought up before a magistrate in consequence of misconduct, and only two young women who had misconducted themselves in any way during that time. He did not mean to say that all factories were equally well regulated; but, at the same time, when instances were given of misconduct in some cases, it was right to quote other instances to show that, upon the whole, the conduct of these parties was such as to reflect the highest credit upon the establishments with which they were connected. He was perfectly authorized to say—and his hon. Friend behind him (Mr. Strutt) would confirm what he said—that there was ten times more immorality and misconduct among those who worked in private houses than there was among those who worked in factories. In private houses there was no superintendence; whereas in factories, independent of those officers who were present, and of the police who were at hand, there was a feeling of decency among the men themselves which prevented them from misbehaving among their fellows; but in private houses there were no fellows—there was no check but their own conscience; and the House was aware how often that failed even amongst the best educated of society. At the same time, he hoped the hon. Member for Finsbury would not so far mistake him as to imagine that though opposed to the Bill as it stood, he was against doing that for lace which many years ago he was willing to do for other factories. He was certainly opposed to the present Bill, because he did not believe they could alter it for the better. As the man said of Pope, it would be much easier to make ten new men than to amend such a man as he was. In the same way,

he (Sir J. Hobhouse) thought it would be much easier to make ten new Bills than to amend the present. If, however, the hon. Member would do that which the mistakes committed in this Bill would not prevent him doing—if he would introduce a Bill nominally to do that which was actually done by one clause of this Bill, although there was no notice of it in the preamble —namely, to subject children in lace factories to some such regulations as the children in other factories were subject to, the hon. Member should have his cordial support. He begged leave also to say, that he had the best authority for stating that the master manufacturers were not unwilling themselves to accept a Bill which restricted infant labour—he meant the labour of persons up to 18 or 19 years of age — after 10 o'clock at night. But the Bill must really be for that purpose, and not for a purpose altogether different. The present Bill was, in fact, a little bit of an imposture, because it proposed to do that which the parties never hoped to accomplish—on the principle probably of asking a great deal in order to get a little. He therefore could not support the present Blll, though he should give his cordial support to a measure of the nature he had stated.

LORD J. MANNERS remarked, that whatever might be the fate of this Bill on its second reading, so many admissions had been made in favour of the principle of one important portion of it by the right hon. Gentleman who had just spoken, as well as by others, that he apprehended the opposition of Government must ultimately fail of staving it off. He thought he could rest his defence of the Bill upon one or two statements he had just heard from the right hon. Gentleman (Sir J. Hobhouse). The right hon. Gentleman had assumed, that because he had presented a petition from twenty-five master manufacturers of Nottingham, the master manufacturers must be against this measure; but he had presented a petition from 479 master manufacturers engaged in the Nottingham trade in favour of the measure; so that if it were to be decided by their opinions, he claimed the support of the right hon. Gentleman in favour of the second reading. The right hon. Gentleman had also referred to a statement which he thought was conclusive, that the crimes and iniquities which in the case of the people of Nottingham had been laid to the charge of night labour, were not justly so laid; but he held in his hand a return of offences committed and criminal convictions obtained which clearly disproved the assertion of the right hon. Gentleman. This was a return of the names of persons convicted of felony and garden robberies during the night from the 7th of September, 1844, till the present time; and it showed that there were no fewer than twenty-two people so convicted, all of whom used to work at the lace trade during the night. He also held in his hand a return showing the extent of disease and the number of premature deaths among the lace-workers during the same period; but he should not trouble the House by reading it. He would only state, that it was sufficient to vindicate the House in proceeding further with this Bill. They had heard that day a most clear and lucid speech from the right hon. Gentleman the Secretary of State for the Home Department against this Bill. No one who had heard that speech could fail to be struck with its ability; but he must again remind the right hon. Gentleman that one material portion of his speech was totally misapplied on the present occasion. The right hon. Gentleman had referred to the result of the measure which he had passed in the course of the present Session bearing upon the home manufacturer, as an argument against the present Bill; but he did not think that that was a good answer to the over-toiled manufacturers of Nottingham. He too repeated the suggestion he made on a previous occasion, to replace the duties on foreign manufactures as they formerly stood, and relieve the oppressed people from the burden of night-work. Both the right hon. Gentleman who spoke last, and the Secretary of State for the Home Department, laid great stress upon the construction of the word "factories;" but he, in supporting the second reading of this Bill, was not pledged to adopt the construction of the word which had been objected to. It was no argument against the interference of the House with labour in factories that the Bill included interference with labour in private houses. He might support the one, and be careful to exclude the other. He called upon the House to weigh carefully the evidence for and against the interference for which he pleaded. For himself, he would place in one scale the opinion of all the master manufacturers who had petitioned against the Bill, and in the other the unanimous opinion of all the surgeons who had given

an opinion on the subject, the opinion of the 479 master manufacturers who had petitioned in its favour, the petitions of the thousands of people unconnected with the trade, and the petitions of the thousands of the workpeople themselves, begging the House to interfere; and upon the result he would rest his case, and ask the House whether all the difficulties suggested by the right hon. Gentleman—all he admitted fair subjects for further consideration—would justify them in rejecting this Bill? For himself, he had no doubt whatever of the principle of interference. He had maintained it over and over again in that House, and he confessed he had seen no reason to shrink from it. If they continued to tell the people that, whatever the amount of their sufferings—whatever the arguments that were brought forward in favour of interference—they were on no account to do so, then he would say that they would do more than anything else to weaken the respect of the people for Parliament, and to shake most seriously and materially the basis upon which the security of property rested in this country. For these reasons, he gave his hearty support to the second reading of this Bill, reserving to himself the right to accede to any amendment that might be proposed, if he thought proper.

Mr. MUNTZ could only support the Bill, so far as it affected children. It was quite impossible that he could agree to interfere with the hours in which the mills were employed. What right had that House to interfere with the mills? He himself always worked his mills night and day, but he took care to keep two sets of workpeople. There was one point which seemed to be overlooked by every one who had spoken on this subject, and that was the cause of this extreme pressure of work. What was th cause of these extreme hours? Was it foreign competition, or the competition of the mills, or the competition of the people with each other? It was not foreign competition. He said, without fear of contradiction, that whenever there were these extreme hours, it was because the remuneration to ordinary hours was not sufficient to support the workmen and pay the employers. He had never known an instance where there was an improvement in the state of trade, and in the rate of wages, in which the quantity of work was not reduced one-third or one-half. The worst competition in this country was the competition of manufacturers with each other. The manufacturer was obliged to make up in the quantity of his work for the lowness of his prices, and it was the same with the workpeople. Until the House, then, had proved what was the cause of the pressure, they could not decide whether they were justified or not in interfering in the way proposed. It was his own opinion that some interference was necessary, because he understood that in the lace districts there was a vast pressure on the labour of the children—that they were obliged to work hours which no one ought to sanction, and which were detrimental to both mind and body. He thought, then, that some interference was necessary as regarded the children. It might be also necessary to interfere to some extent as regarded adults. When a manufacturer received a large order which must be executed in great haste, he was apt to forget, in his anxiety to execute the order, the pressure which he threw upon his workpeople; and, when circumstances allowed it, he exacted an amount of work from the mwhich was altogether improper, and committed a crime without knowing it. He had no objection, therefore to protect the workmen against an evil like that. On the whole, he should give the Bill a conditional support, hoping that in its future stages such alterations would be introduced as would be just to all parties.

Mr. GISBORNE understood, from communications he had had with his constituents, that the intention of the promoters of the Bill in the first instance was to restrain only such machines as were worked in factories; but that the pressure in the case became so strong upon his hon. Friend (Mr. Duncombe), that he could not maintain his ground, and was obliged to include in his Bill the still larger number of machines which were worked in private houses, cottages, and cellars. Now, in order to effect this, his hon. Friend was obliged to furnish the House with some machinery capable of carrying out this intention. And what did he offer to the House for this purpose? Why, he gave to the House the choice of domiciliary visits or common informers. That was the choice the hon. Member was driven to. Now, which would the House choose? He (Mr. Gisborne) declared that not only could he not say which was best, but he could not say which was worst. His hon. Friend in carrying out his Bill was driven to the definition of "a factory" which no one ever heard of before. A factory with him was sometimes

a loom, sometimes a flat, sometimes a shop, sometimes a cellar; wherever, in short, a lace machine was placed. Even the noble Lord (Lord J. Manners) had found it necessary to repudiate this meaning of the word "factory," though he had adopted an interpretation of the words "master manufacturers" not less objectionable. The noble Lord had said that 469 master manufacturers had signed a petition in favour of the Bill. Now, the fact was, that in the common acceptation of the term, there were not 469 master manufacturers connected with the lace trade in the whole country. He (Mr. Gisborne) would tell the House exactly what sort of master manufacturers these were. In the lace trade there was constantly going on a number of improvements; the consequence was, that machines of smaller power, and which executed less work, were disposed of at exceedingly low prices to make way for the improved machines. These cheap machines were bought by parties who thought that, as they cost little, they might be able to make something out of them; and he (Mr. Gisborne) sincerely wished they could; but the fact was that few people could live by working bad machines. Now, these people having, in a speculating spirit, possessed themselves of these single machines, came to be denominated master manufacturers; and they now petitioned the House in favour of this Bill, in the hope that some legislation which they hardly understood, and the effect of which they were really hardly competent to figure to themselves, would relieve them from the distressed situation in which they found themselves in consequence of their unequal competition with the improved machines. He had no objection to a measure protecting children of eight years of age and under from working in the lace factories; but he could not go to the extent proposed in the present Bill. Why, even the hon. Member for Birmingham admitted that he worked his machines day and night.

MR. MUNTZ had never said that the people in his employ worked day and night. He worked by relays; and his men never worked for more than nine or ten hours, which was as much as any man could work either for his employer's interest or his own.

MR. GISBORNE did not see how the argument of the right hon. Gentleman opposite could be got over, that if by restricting the hours of labour you disabled the workman, you would not be able to resist his claim on you to do that which was, in fact, an impossibility—to fix the rate of his wages. Were the House prepared to go that length? If they were not, it was cruel to mislead the lace makers. He perceived, too, that his hon. Friend the Member for Nottinghamshire, also, had given up nearly the whole of the enactments of this Bill; he was equally ready to give up the domiciliary visits as the common informers. His hon. Friend would pass the second reading and amend the Bill in Committee. He begged to tell his hon. Friend that to amend the Bill was an impossibility. But when the lace trade was done with, were they prepared to say that they would go no further? What would they do with wool? Would they attempt to restrict the hours during which the stocking-frame should run? He could tell hon. Members who were prepared to support the Bill, that if they were to succeed, it would be attended in practice prospectively with such consequences that they would all be obliged hereafter to come forward and oppose that scheme of legislation. Were he to consult his ease or his electioneering interests, he should support the Bill; but, believing as he did that it would produce disappointment, injury, and ruin to the working men, he should without any hesitation give his vote against the second reading.

MR. WAKLEY was sorry to have heard the speech of the hon. Member who had just sat down; for having told them that the great majority of the working people were in favour of this Bill, yet he could not support it. It was a melancholy thing to hear hon. Members saying that the great masses of the people were in favour of a particular measure; but yet that, in consequence of the views which they themselves entertained on subjects of political economy, they were obliged to vote against measures introduced specially for the benefit of the masses. The people prayed the House to take their case into its consideration; and that if it did wrong at their request, they might be the sufferers—that they would be content to bear the consequences. The substantial question, however, involved in the present discussion, was interference or non-interference. He did not know, indeed, who drew up the present Bill. He was unacquainted with the artist. He was not aware whether or not it was his hon. Colleague who had prepared it. But he confessed he did not think the wording of the Bill was such as

reflected credit on its framer. He did not think it was framed to forward the purposes which his hon. Colleague had in view; and if the Motion before the House was for the third reading of the Bill as it then stood, he could not vote for it. But as it might be altered in its form, and amended in Committee, he would vote for the Bill on account of the principle which it recognized. The question before them was, whether or not the House would interfere to protect infants subjected to a species of toil calculated to destroy their physical energies, and to prevent their moral faculties from ever deriving any improvement. It was said that though the persons alluded to might be labouring twelve or sixteen hours a day, that it was a light description of work. But then their attention was kept continually occupied, and that this in itself was no small evil, hon. Members might know who were compelled to sit five or six hours in that House listening to the speeches delivered there. He had heard hon. Members complain of being so much fatigued from such an ordeal, as to threaten to throw up their seats. What then must be the mental and physical fatigue of these poor children who were obliged to attend to one monotonous unceasing task for ten, twelve, fourteen, or sixteen hours out of the twenty-four, during all their youth? Was not this a state of suffering from which they ought to be relieved? The House had attempted an interference of this description in multitudes of cases; ought these poor children to be an exception to the general rule? But if his hon. Friend proposed to interfere with the hours of adult labour, he did not think that could be defended on principle, nor in practice did he conceive it would do otherwise than lead to the greatest inconvenience. Where could the Legislature stop if it began this? But the House was bound to separate the question of interference with adult labour from that of interference with infant labour. People were in the habit of saying that the minds of the children should be cultivated in the intervals of labour. How was this possible? Mental toil was the most severe of any, particularly to young minds; and were they to be supposed susceptible of mental improvement after undergoing so many hours of continuous bodily labour? He had on a particular occasion made inquiries as to how her time was spent from a little child in the condition of those whose case they were treating of. She told him she got up at five in the morning, and went to work, then had an hour for breakfast, and after that returned to her employment again. Then an hour came for dinner, and then work again till supper time. He asked her, had she no time for recreation, and questioned her as to how she spent the Sundays. She replied she had no time for recreation, for after breakfast she went to church, and after that to school; and then after dinner to church, and school again; so that it was all church, school, church, school, the entire Sunday. What sort of life was that to lead for so many millions of poor children, in a country where there were so many thousand other children enjoying all the blessings, and luxuries, and comforts which the world could give? How was it possible to suppose mental improvement to progress in young minds so deprived of all the recreations natural to their age? Where was there any enjoyment in such a state of things—where any rewards for good conduct? As the present Bill was framed, he could not, as he said before, vote for its third reading; but he implored the House to permit it to pass its present stage, and it might be amended in Committee.

Sir R. PEEL: Sir, I am surprised, after the speech of the hon. Gentleman, that he should have concluded by affirming the principle of this Bill, and declaring that he would vote for its second reading, because the hon. Gentleman has declared that he feels it would be radically unjust to attempt any direct interference in restricting the hours of adult labour. He thinks that it would give rise—that its inevitable consequence must be, as was so well stated by the hon. Gentleman on the opposite side of the House (Mr. Gisborne) that if you prohibit by direct legislation adults from making the most of their time, that the next difficulty with which you will have to contend, will be to meet the claim which the workmen will make upon you to fix a minimum rate of wages. How could you resist such a demand? Then, the hon. Gentleman says, that if the principle of this Bill is to restrict the hours of adult labour, that he would oppose it. Sir, I say that the direct and avowed principle of this Bill is to restrict the hours of adult labour. It does not profess to interfere with the labour of children—it does not bear upon the labour of children on the face of it—it does not profess to regulate the lace factories upon the same principles as the Legislature has regulated the linen and the cotton factories. The title of this Bill is "A Bill

to regulate the hours of night labour in all factories where bobbin lace and warp lace machinery is employed," and the preamble recites that—

> "For the preservation of health and morals, it is necessary to regulate night-labour in all factories where bobbin-net or warp-lace machinery is employed or worked for making lace or any other fabric."

Then the first clause provides that night labour should henceforth cease in all factories where such machinery is employed or worked. It directly prohibits, whether children are employed or not, all working in those mills or factories for more than sixteen hours a day. Now, see what you will be driven to in your attempt to carry out these regulations. You will find, when you prohibit labour in what you call factories—over which you think you have a direct control—that you will give a direct premium upon more severe labour in those smaller edifices which are emancipated from your power. You will feel that the immediate consequence will be, that so far from correcting the evils, you have only prohibited labour in those factories where, from the number of persons who work together, a certain degree of moral control is established; for the very circumstance of working in the face of our fellow creatures imposes obligations and a sense of shame upon numbers, which would be altogether absent where the work is carried on in privacy. There is at present a certain amount of competition in this trade between the hand-loom and the power-loom weavers; and this measure would give a direct premium upon the labour of the hand-loom weaver. We must have another law to prevent that. It must follow, as a necessary consequence, that you must extend your interference. Your measure must necessarily increase the moral evil in the hand-loom department, and lead to taxing more severely the frame of the child as well as of the adult, and then you must interfere with the labour of the hand-loom in the single House, and you must prohibit that. Then, how will you interfere? Take your choice between a common informer and a domiciliary visit. As you shrink from the idea of a common informer —as you will not probably allow a man to be subject to the information of a vindictive neighbour, perhaps of a rival in trade —the practice of domiciliary visits must be resorted to, that is to say, a Government officer, whenever he sees a light burning after ten or eleven o'clock at night, will have a right to enter the House. Take your choice—either the common informer or the domiciliary visit. We shall have domiciliary visits on the suspicion that a man is toiling for the support of his family. Why, the Bill makes no provision for circumstances which are provided for in the case of cotton factories. In the cotton manufactories, should an accident happen to the machinery by which the work will be suspended, in such a case permission is given to work extra hours. But in this Bill there is no such provision. Now, I take the case of an adult who is working in his own house for the support of his family. If he continues his work after ten or eleven o'clock at night, he is liable to a domiciliary visit, or to the accusation of a common informer. Suppose that his loom has met with an accident, or that the man himself has been ill for three days—suppose that he has been subject to a visitation of sickness, so that on Monday, Tuesday, and Wednesday, he has only been able to work five hours a day, and his wages are reduced in a corresponding degree. The man has no alternative in order to obtain subsistence for his family, but to work on Thursday, Friday, and Saturday, additional hours. It is the case of an adult working without children, and in his own house. If a man says, I must repair the misfortune which befell me at an early part of the week by extra labour at its close—if an accident has happened to his machinery—or if the corporeal machine has been weakened or incapacitated through disease, and the man is afterwards engaged in extra labour to provide for the subsistence of his family—would you tolerate that this man, so engaged from the laudable, the honourable motive of earning a subsistence for his family—do you mean to subject that man to a domiciliary visit? And then it is proposed to enforce upon such a man a 50*l.* penalty. I should like to see the indictment that would be drawn against him. After five or six persons had been brought up for robbery and for petty larceny before the magistrates, and their cases dealt with, I should like to see this man brought up before the magistrate charged with the offence of working till ten or eleven o'clock at night, and subject to a 50*l.* penalty, probably by an idle, dissolute fellow, neglectful of his own work, and envious of the advancement of the industrious man. He sees a light in his house, and he says now I shall punish you. I want 10*l.* I want to advance my-

self, and to depress you—I am idle—I am a vagabond—you are industrious, you are honest. I saw a light in your house at eleven o'clock. I found out that you were working for the maintenance of your family—I shall lay an information before the magistrates against you—I shall gain 10*l.* as a reward for my honourable exertions in maintenance of the law, and you shall be fined 50*l.*, which will probably depress you for ever; because, in order to make up for lost time in the first three days of the week, and to prevent your family from starving, you taxed your physical energies beyond the time allowed by law. The man will be committed and sent to prison, and then he will rejoice at our charitable interference with the rights of labour. Now, what answer can you make to that? The Bill is a Bill to regulate night labour. It is not a question of children. It does not regulate the labour of factories. The question is this, whether a man is to have a right to labour in his own house at such hours as he pleases. To prevent that is the object of the Bill. But the hon. Gentleman (Mr. Wakley) says, that the prohibition of children's labour would be so beneficial as to compensate for all these defects. But does it? I feel all the evils of taxing infant labour too severely, quite as much as the hon. Gentleman. But what is all this to the Bill before us? Is it possible that the hon. Gentleman can consent to such a Bill as this? What does the Bill propose to do? It permits and sanctions the employment of children above eight years of age for sixteen hours a day. It would be to give a legislative sanction—if we were to vote for the second reading—to the principle that children above eight years old may be employed for sixteen hours—that is to say, from six in the morning till ten at night. If I were to interfere with infant labour I should take a different way of doing it. It would be much easier to make a new Bill than to amend the present. If we are to have a Bill which interferes with infant labour, let us have a Bill which shan't compel us on the second reading to affirm the principle that children above eight years of age may work for sixteen hours a day. I would put it to the hon. Gentleman opposite, whether, if we are to have a Bill at all, we should have one which treats the question in this peculiar manner? [Mr. WAKLEY: Oh, I don't like the Bill at all.] You don't like the Bill at all! Then, Sir, I have not a word more to say, except to suggest that hon. Gentlemen who don't like a Bill at all, ought to vote against it.

MR. FERRAND could not but express his deep regret that the right hon. Baronet who had just sat down should have taken so much pains to turn that Bill, and the arguments used in its favour, into ridicule. It was a melancholy fact that whenever an hon. Member in that House proposed to legislate for the welfare of the working population of this country, he was always met with the strongest opposition. The working population for several years had appealed to that House to take the peculiar circumstances under which they laboured into consideration. They had almost appealed in vain, and they had now commenced to legislate for themselves; and he would ask Her Majesty's Government, as well as hon. Members on both sides of the House, to look for one instant to the manufacturing population of the north of England. They were entering at this present moment into an alarming combination to protect themselves against what they called the tyranny and oppression of their masters. Let the House look at the fearful strikes for wages which have taken place in Manchester, Liverpool, and other large towns in the north of England; and he thought there was there sufficient to induce the House to consider that it was high time for Parliament to take into its most mature and deliberate consideration the serious quarrels which had from some causes taken place between masters and their servants. In the case now before the House, they found that the master manufacturers and their own workpeople had united in a body to come before that House, to ask redress; and what had they witnessed that afternoon? Ridicule cast upon this attempt to legislate on their behalf, from both sides of the House. They had asked for the second reading of this Bill; and he had no hesitation in saying, that if that House refused the second read- of the Bill, it would be offering to those working classes a direct insult, and would drive them ultimately to their own resources, as he had before said, to legislate on this matter, which they would do by entering into one universal combination throughout this country, and compel their masters to consent to protect them and their interests, as Parliament had refused to interfere in their behalf. He would not say one word about the question whether the manufacturers of this country

were in favour of the second reading of this Bill or not. The working classes of this country were watching the tone and temper of that House on the present occasion; and it was his firm conviction that if Parliament would, by a more conciliatory spirit, endeavour to mitigate the bad feeling which existed between the employers and the employed of this country on the present occasion, they would do more to put a stop to the strikes in the north of England, and the misunderstandings which were taking place between the employers and the employed, than all the efforts of the masters to resist the men, or the men to resist the masters.

MR. SHARMAN CRAWFORD did not deny that he entertained objections to this Bill—he did not deny that he felt an objection to limit the hours of adult labour; but, at the same time, he did not think they were precluded from interfering to prevent the younger portion of the manufacturing classes of England from being overworked. That was what he should desire, and he hoped to effect that object by voting in favour of this Bill. The great question before the House was, whether the infantine labour of this country should be protected from the oppression of the holders of capital. The long hours which they were compelled to work injured their health and morals, and he, therefore, contended that, no matter whether this Bill would injure the interests of the manufacturers or not, the Legislature was bound to extend its protecting influence to the hard-working children of England. The hours of labour, which this Bill sought to restrict, were more than human nature could endure. Taking that position, he conceived it to be the duty of the House to pass some such measure as this, whatever might be the effect of wages. He should, therefore, give his hearty support to the second reading of the Bill.

MR. BRIGHT wished to make one observation in answer to the hon. Member for Knaresborough (Mr. Ferrand), who had asked the House to interfere with labour on the ground that certain strikes had taken place in the north of England. He begged to tell that hon. Member that those strikes existed only amongst trades not in any degree connected with mills or factories, and amongst a class of workmen who never worked more than ten hours a day, and respecting whom there was no proposition before the House. With respect to the feeling between the employers and employed, he should think that the hon. Member would have recollected that, with the exception of Yorkshire, there had not for a long period been any disagreement or ill-feeling between the cotton manufacturers and those in their employ, and that there never was a better feeling between them than at this moment. He was sure that with respect to the cotton trade there was less reason for any vindictive feeling between the manufacturers and their employed at this moment than at any period since he was acquainted or connected with it. The feeling that had existed between masters and men during the last two years in that trade was equally creditable to both parties. All argument based upon the statement of the hon. Member was fallacious; and so far as it had any bearing upon this question, it was in favour of the present state of things, and against the Bill at present before the House.

LORD JOHN RUSSELL thought that the present Bill was not to be objected to solely, if at all, on account of its interference with the labour of children. It appeared to him to be a perfectly just principle that, as the State protected the property of minors, who were the children of the rich, so with regard to the children of the labouring classes, the State should, by legislation, take care that neither their bodies nor their minds sustained any detriment by excessive labour. If, therefore, that alone were the object of the present Bill, he should have thought that the details of the measure might be allowed to be considered in Committee. But there were two objects in the present Bill, which seemed to him to violate every principle of prudent legislation. In the first clause of the Bill, night labour was prohibited, and the labourer was required to work from a certain hour in the morning to a certain hour at night. That evidently was an interference with the labour of the adult males of this country. Now, if a man could earn his living by no other means than engaging to work eight or nine hours at night, ought they to legislate to prevent him from earning his wages in that way? Ought his means of subsistence to be endangered by a legislative enactment? Were there not, in fact, cases where they could not prevent night labour? Were there not instances where men had no other means of subsistence except by working at night, such as the driver of a stage coach,

the guard of a coach or a police office, and various other species of business, which were carried on at night, and which could not safely or conveniently be abolished, either for the sake of the public or of the parties themselves? Another part of the Bill was nominally for the purpose of interference with children only; but, in fact, it sanctioned entering private houses; and he, for one, thought the interference with private houses, whether through the instrumentality of the informer or domiciliary visitations, would be an act of tyranny impossible for Parliament to sanction. He thought that the labouring classes who asked for this Bill, would soon petition the House to repeal the Act if they were to be subjected to domiciliary visits. The hon. Member for Rochdale said that labour was oppressed by capital, and therefore the hon. Member was for interference, in order to prevent capital tyrannising over labour; but he thought that if the House acted on that principle, and interfered with a voluntary agreement made between a person in the possession of capital, and a person whose property consisted in his labour, they could not interfere with the hours of labour alone, but must legislate with respect to the remuneration which the labourer should receive. Considering, therefore, that two portions of the Bill violated every sound principle of legislation, he should not give his consent to the second reading.

Mr. M. PHILIPS advised the hon. Member who had introduced the measure to withdraw it, and bring in another Bill, confined to protection to infant labour. Even the hon. Member's Colleague—for Finsbury was divided against itself on this question—could not give the measure a cordial support. With regard to what had been said by the hon. Member for Knaresborough, namely, that it would be an insult to the working classes of the community if those who were sent to that House, and saw the practical difficulties of the measure, did not assent to it, he could only say that he differed entirely from the opinions which that hon. Member seemed to entertain. The principle of having recourse to informers and domiciliary visits, he, for one, could not consent to; and he thought that they ought to point out the absurdity of such regulations to the people, who, he was sure, would be thankful to have the practical difficulties in the way of the measure exposed. He wished to see a measure introduced for the protection of infants engaged in this trade, for no man could be an advocate for excessive infant labour; and, therefore, seeing that the present Bill was full of absurdities—he did not wish to use the word offensively—he recommended the hon. Member to withdraw his measure, and bring in a Bill having similar clauses to the Factory Act which was now in force.

Mr. BROTHERTON had for the last thirty years taken a part in restricting the hours of labour in factories, but he must confess that he had great difficulty in supporting such a measure as this. His feelings were in favour of it, but it appeared to him that the hon. Member for Finsbury tried to attain two objects which were incompatible with each other. If all the trade in lace-making was carried on in factories, he should have no hesitation in voting for the measure; but it appeared that the greater proportion of these machines were worked in private houses. The House ought, therefore, to pause, before they sanctioned such a principle as interference with domestic labour. Where, he would ask, was such an interference to stop? They might just as well interfere with the hand-loom weavers. It appeared to him, also, that the Bill sanctioned the principle of working children, above eight years of age, sixteen hours a day, and therefore, upon the whole, he did not feel disposed to give his vote in favour of the measure.

Mr. W. COWPER would put it to his hon. Friend the Member for Finsbury, whether it were desirable, for the object which he had in view, to put the House to the trouble of a division. It appeared to him that many hon. Gentlemen who had declared their intention of voting against the present Bill, had also declared in favour of the principle of interference with infant labour. The division, therefore, which the House was about to take, would not be a division on the question of interference or non-interference. He himself should have great difficulty in voting for the Bill, and he would wish his hon. Friend to withdraw this measure, and introduce one which he had framed himself.

Mr. T. DUNCOMBE observed, that if this Bill were thrown out he should not be much worse off than if he were to accede to the suggestion made by his hon. Friend. He should certainly take the sense of the House upon the question. He should not think it worth while to take any notice of the ridicule and sarcasm which had been

thrown out against the Bill if it had been his own composition and the production of his own pen; but the fact was, that he was the reluctant instrument, as he had already stated, of a highly respectable, hard-working, and industrious body of men; and he represented not only the industrious population, but four-fifths of the capital employed in this trade. Admitting that the Bill divided itself into two branches, namely, interference with infant labour and adult labour, there was nothing to prevent the House amending the Bill in Committee. The Short Time Committee took as deep an interest in that Bill as they did in the Factories Bill. They considered it, in fact, part and parcel of the same system. The noble Lord (Lord John Russell) seemed, by the course he was pursuing with regard to the Bill, to wish to retrace his steps upon the Factories Bill; but he trusted that the noble Lord would reconsider the matter. It was no argument against the Bill to assert that, because the lace machinery was set up in shops and private dwelling-houses, that the same measures as had been extended to great factories could not be made to reach them. He contended that the word "factories" was in itself sufficient to include, not buildings devoted exclusively to the working of machines alone, but also all workshops, dwellings, and private houses in which factory labour was carried on. But in order to set the question at rest, he would suggest that in the next alteration of the Factory Bill a proper explanation of the word "factory" should be inserted. But ridicule was not the mode by which the arguments adduced in favour of the Bill should be met. He did not complain of anything said or done by the right Baronet (Sir J. Graham) during the discussion; but he would say, if the principle of non-interference with adult labour were to be adopted, whilst the regulation of infantine labour was to be kept up, the proper course would be to pass the second reading of the Bill, all clauses in which having reference to adult labour might be struck out, and to confine themselves in all future legislation to infantine labour solely. But as to the difficulty of bringing labour in dwelling-houses under the operation of a Factory Act, he would refer the House to the report of Mr. Berry, one of the sub-inspectors of factories, who was clearly of opinion that it was not only possible, but very much desired by the manufacturing population, that the works carried on in such places should be brought within the operation of the Act. The fact was, the House was against all interference with factory labour; and it would be more honest and manly to come forward openly and boldly, and say at once they would not interfere, instead of pretending to argue the question, and using ridicule instead of argument. He, hoped, however, that the House would not disappoint the expectations of a very meritorious body of the working population, but would follow the course he had suggested.

MR. STAFFORD O'BRIEN, understanding from the hon. Gentleman's observations that he was willing to withdraw all the clauses of the Bill which had reference to adult labour, confining its operations to infantine labour only, would, under such circumstances, vote for the second reading.

The House divided on the Question, that the word "now" stand part of the Question:—Ayes 66; Noes 151: Majority 85.

List of the AYES.

Adderley, C. B.	Kemble, H.
Allix, J. P.	Knight, F. W.
Baillie, W.	Law, hon. C. E.
Bankes, G.	Lennox, Lord G. H. G.
Bennet, P.	Long, W.
Bentinck, Lord G.	Lowther, hon. Col.
Bentinck, Lord H.	Manners, Lord J.
Beresford, Major	March, Earl of
Borthwick, P.	Miles, P. W. S.
Brisco, M.	Miles, W.
Broadley, H.	Morris, D.
Browne, hon. W.	Muntz, G. F.
Cayley, E. S.	Newdegate, C. N.
Christie, W. D.	Norreys, Lord
Christopher, R. A.	O'Brien, A. S.
Clifton, J. T.	Plumptre, J. P.
Cole, hon. H A.	Plumridge, Capt.
Crawford, W. S.	Pollington, Visct.
Douglas, J. D. S.	Repton, G. W. J.
Duncombe, hon. O.	Russell, J. D. W.
Etwall, R.	Sheppard, T.
Farnham, E. B.	Sibthorp, Col.
Fielden, J.	Spooner, R.
Fellowes, E.	Stuart, Lord J.
Ferrand, W. B.	Stuart, J.
Fleetwood, Sir P. H.	Verner, Col.
French, F.	Vyse, R. H. R. H.
Fuller, A. E.	Waddington, H. S.
Gore, W. O.	Wakley, T.
Halford, Sir H.	Williams, W.
Halsey, T. P.	Yorke, H. R.
Henley, J. W.	
Hildyard, T. B. T.	TELLERS.
Hill, Lord E.	Duncombe, T.
Irton, S.	Rolleston, Col.

List of the NOES.

Adare, Visct.	Arundel and Surrey, Earl of
Antrobus, E.	

Baillie, Col.
Baillie, H. J.
Baine, W.
Baring, rt. hon. F. T.
Baring, rt. hon. W. B.
Barrington, Visct.
Beckett, W.
Bellew, R. M.
Benbow, J.
Bernard, Visct.
Bodkin, W. H.
Bouverie, hon. E. P.
Bowles, Adm.
Bowring, Dr.
Bridgeman, H.
Bright, J.
Brotherton, J.
Bruce, Lord E.
Buller, Sir J. Y.
Cardwell, E.
Carew, W. H. P.
Carnegie, hon. Capt.
Cavendish, hon. G. H.
Chichester, Lord J. L.
Clerk, rt. hon. Sir G.
Clive, hon. R. H.
Cobden, R.
Colebrooke, Sir T. E.
Coote, Sir C. H.
Corry, rt. hon. H.
Cowper, hon. W. F.
Cripps, W.
Dalrymple, Capt.
Damer, hon. Col.
Dawson, hon. T. V.
Denison, J. E.
Dennistoun, J.
Douglas, Sir C. E.
Douro, Marq. of
Drummond, H. H.
Duckworth, Sir J. T. B.
Dugdale, W. S.
Duncan, Visct.
Duncan, G.
Egerton, W. T.
Escott, B.
Esmonde, Sir T.
Estcourt, T. G. B.
Evans, W.
Fitzroy, hon. H.
Flower, Sir J.
Forman, T. S.
Forster, M.
Gisborne, T.
Godson, R.
Gordon, hon. Capt.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greene, T.
Hamilton, Lord C.
Hanmer, Sir J.
Hastie, A.
Hawes, B.
Hay, Sir A. L.
Hayes, Sir E.
Heneage, G. H. W.
Herbert, rt. hon. S.
Hindley, C.
Hobhouse, right hon. Sir J.
Holmes, hon. W. A.
Hope, Sir J.
Hope, G. W.
Howard, P. H.
Howard, hon. H.
James, W.
Jermyn, Earl
Jervis, J.
Jocelyn, Visct.
Jones, Capt.
Labouchere, rt. hon. H.
Langston, J. H.
Lascelles, hon. E.
Lascelles, hon. W. S.
Legh, G. C.
Lindsay, H. H.
Lockhart, A. E.
Lockhart, W.
Lygon, hon. Gen.
Mackenzie, W. F.
Mackinnon, W. A.
M'Neill, D.
Mahon, Visct.
Maitland, T.
Manners, Lord C. S.
Marsland, H.
Martin, J.
Maule, rt. hon. F.
Meynell, Capt.
Mitchell, T. A.
Moffatt, G.
Morpeth, Visct.
Morrison, J.
Mostyn, hon. E. M. L.
Mundy, E. M.
Napier, Sir C.
Northland, Visct.
O'Connell, M. J.
Ogle, S. C. H.
Ord, W.
Pakington, J. S.
Palmer, G.
Peel, rt. hon. Sir R.
Peel, J.
Philips, G. R.
Philipps, M.
Powell, C.
Reid, Col.
Romilly, J.
Round, C. G.
Round, J.
Russell, Lord J.
Seymour, Lord
Seymour, Sir H. B.
Smith, J. A.
Smythe, hon. G.
Smollett, A.
Somerset, Lord G.
Stansfield, W. R. C.
Stanton, W. H.
Stuart, H.
Strutt, E.
Sutton, hon. H. M.
Thesiger, Sir F.
Thornely, T.
Trench, Sir F. W.
Vane, Lord H.
Vernon, G. H.
Villiers, hon. C.
Walker, R.
Walpole, S. H.
Ward, H. G.
Wellesley, Lord C.
Winnington, Sir T. E.
Wood, C.
Wood, Col.
Wood, Col. T.
Wrightson, W. B.
Wyndham, Col. C.

TELLERS.
Young, J.
Baring, H. B.

Bill put off for six months.

THE POISONING CASE AT HAPPISBURGH.

MR. WAKLEY wished to know if the attention of the right hon. Baronet had been called to the recent case of poisoning near Norwich. It appeared that several persons had lost their lives by poison. An investigation had taken place, and the jury had returned a verdict; but such was the mystery in which the case was enveloped, that with the exception that the death had been the result of poison, no other light had been thrown upon it, and the perpetrator of the crime remained undiscovered.

SIR J. GRAHAM had heard nothing of the case until that morning, when he had read it in the newspapers with horror. He was not aware that the assistance of the Home Department had been called for as yet to aid the investigation; but if it should be required, or if he could in any manner promote a more searching investigation, he should be most willing to do so, and to render every assistance in his power.

House adjourned at Five o'clock.

HOUSE OF COMMONS,

Thursday, May 21, 1846.

GERMAN CUSTOMS TARIFF.

MR. WODEHOUSE rose to put a question to the right hon. Baronet at the head of the Government relating to the German customs tariff, referring more particularly to the letter from the Earl of Westmorland to the Earl of Aberdeen, dated Berlin, November 8, 1842, respecting the increase of import duties on woollen and printed cotton goods, as well as other articles of manufacture, to take effect during the years 1843, 1844, and 1845. He begged to remind the right hon. Gentleman that in his letter the Earl of Westmorland had stated that this tariff would not materially affect the manufactures of this country, and that it was meant as a measure of retaliation against France. He also wished to recall to the memory of the right hon. Baronet, that in a recent discussion he had stated that he had reason to suppose that there was in Prussia an intention to alter the line of commercial policy as to freedom of trade. He wished to know, therefore, whether it were the intention of Government to lay

before Parliament any documents of any kind, subsequent to the date of Lord Westmorland's letter, confirmatory of the expectation that the commercial code of Prussia would be relaxed in correspondence with the relaxation in our own ?

SIR R. PEEL wished his hon. Friend had given him more particular notice of his question ; as it was printed in the Votes, it applied simply to the letter of the Earl of Westmorland in 1842. It was not his intention to lay upon the Table any communication relating to matters connected with our present relations with Prussia as regarded the customs laws ; but he had no objection to produce the customs tariff of the Zollverein, passed last year, for 1846, 1847, and 1848, that it might be compared with the tariff of 1843, 1844, and 1845.

THE BINGLEY UNION.

MR. FERRAND : I rise to put the four questions of which I have given notice relative to the Bingley union. The House will perhaps allow me in the first place to make one or two remarks. This is a personal affair, relating to myself, because I am charged with neglecting my duty as a country gentleman as well as a magistrate, and I feel that the House ought to allow me to proceed. In 1839 the old Poor Law ceased to be enforced in the town of Bingley; there were then twelve inmates in the poorhouse. The Commissioners then took the affairs of the parish into their own hands, and the poor of other townships were crowded into the building. The poor-house was never entered until the year 1842, after which the Commissioners entered into a plot for the purpose of crushing me. Sir John Walsham drew up a report which stated that there were then fifty-nine inmates in the poorhouse. I shall not quote the expressions of the right hon. Baronet the Secretary for the Home Department on the occasion. It will be sufficient for me to say, that from the time of that report to the present moment no Assistant Poor Law Commissioner has ever approached the building of the Bingley poorhouse. The inmates have been increased instead of decreased, and there are now no fewer than seventy inmates. My four questions are these :—'1. Whether Her Majesty's Government possess the power of rescuing from the hands of the Poor Law Commissioners seventy poor persons who are now confined by their orders in Bingley poorhouse, which is a building capable of accommodating on an average twelve inmates, and was occupied by that number on the last day that the old Poor Law was in operation ?—2. If Her Majesty's Government possess the power, whether they will immediately exercise it, as a fever has broken out among them ?—3. Whether Her Majesty's Government possess the power of compelling the Poor Law Commissioners or their assistants to visit this poorhouse, as not one of them have done so since June, 1842, when two reports were drawn up for the purpose of crushing an independent Member of this House, and which the Secretary of State for the Home Department took steps to procure ?—4. Whether the right hon. Baronet the First Lord of the Treasury will now retract his unfounded charge against the ratepayers of the parish of Bingley, that they were the authors of, and answerable for the state of the poorhouse, when it contained fifty-nine inmates, instead of the present number ?"

SIR R. PEEL : The House is aware that the communications between Government and the Poor Law Commissioners are not under my control, but that of my right hon. Friend the Secretary for the Home Department; still, as one of the hon. Member's questions, the concluding one, relates to something which passed in the House, now, I think, four years ago, and is supposed to have fallen from me, it is necessary that I should answer that question; and perhaps it will be more convenient that at the same time I should answer the others. The first is, whether Government possess the power of rescuing from the hands of the Poor Law Commissioners seventy poor persons now confined in the Bingley workhouse, a building capable of holding only twelve inmates. The answer I have to give is this : that I apprehend the Poor Law Commissioners have the power of restricting the number of persons to be admitted into a workhouse ; there is, therefore, a power on the part of the Commissioners of reducing the number of persons now confined in the poorhouse of Bingley, and of bringing it below seventy persons. Immediately the hon. Member gave his notice, I felt it my duty to take care that there should be an immediate inquiry into the state of the Bingley workhouse, particularly as the hon. Member stated that fever prevailed among the paupers. I think on the evening of the day on which the hon. Member gave notice of these questions, at my sugges-

tion, and that of my right hon. Friend, a letter was addressed to Mr. Austin, the Poor Law Commissioner, directing him to proceed without delay to examine the Bingley union, to ascertain the number of inmates in the poorhouse; whether fever prevailed among them; to what extent; and whether it was desirable to make temporary provision for the removal of any of the paupers. Of course it is impossible that we should yet have received an answer to that reference from Mr. Austin; but I need hardly assure the House that if it be wished Mr. Austin's report, when transmitted, shall be communicated without delay. A special inquiry has been made by a medical officer as to the fever said to prevail in the workhouse. The second question is whether, if Government possess the power, they will exercise it, in consequence of the appearance of fever in the workhouse? I have shown the anxious disposition of Government to institute an immediate inquiry into the subject, and to direct that if it be necessary or convenient to the paupers that some arrangement for their removal should be made, Government, acting in concert with the Poor Law Cammissioners, have taken the necessary steps to meet the evil, if it be found to exist. As to the third of the hon. Member's four questions, whether Government possess the power to compel the Poor Law Commissioners, or their assistants, to visit the Bingley poorhouse, where they have not been since the year 1842, I have to remark that the poorhouse has not been recently visited. With regard to the charge that the reports were drawn up for the purpose of crushing an independent Member of this House, I can only answer, that neither my right hon. Friend nor myself have entertained the slightest intention of crushing any hon. Member, whether independent or otherwise. Upon that point I need say no more; but as to the first part of the question, I repeat that it is true that the Bingley poorhouse has not been lately visited. [Mr. FERRAND: Has it been visited since 1842?] The hon. Member will perhaps allow me to proceed, and to state that Mr. Clements was the Assistant Poor Law Commissioner of the district, until he was removed, I believe, to Ireland, and that he visited the Keighley union on the 17th of May, 1843; and again on the 8th of May, 1844; also on the 3rd of October, 1844; and he reported that there had been some discussion among the guardians about improvements in the workhouse, but without any result. On the 28th of June, 1845, Mr. Clements was again there, and attention was then called to the fact. The Poor Law Commissioners have the power to fix the number to be received into the workhouse; and the attention of Mr. Clements was directed to this point. He said, "I am in communication with the guardians about the workhouse, and think the matter had better be postponed." It must be borne in mind that the restriction against outdoor relief has never been applied to the Keighley union; consequently the Poor Law guardians there have possessed an unlimited power to administer outdoor relief; therefore there was no obligation upon them to crowd the workhouse by taking too many persons within it. If they have the power of administering outdoor relief, it seems a preferable mode to give that relief in cases where it is required, than to crowd the claimants inconveniently into the workhouse. I think it is a matter to be lamented, and I state my opinion without reserve, that the visits of the Assistant Poor Law Commissioner were confined to the place where the guardians appear to have met. It is to be regretted that he did not inspect the workhouse. On this fact coming to my knowledge, I requested that immediate steps might be taken to remedy this omission, and that Mr. Austin might institute a personal examination of the workhouse. I believe that I have answered the hon. Gentleman's three first questions as fully as possible; and when Mr. Austin's report is received, it shall be laid upon the Table without delay. Every measure that it may seem to him advisable to adopt in order to restrict the number of paupers in the Bingley workhouse will also be communicated. The last question is that which relates to myself; and first, the hon. Member says that I charged him with dishonourable conduct as a magistrate. [Mr. FERRAND: With neglecting my duty as a magistrate.] When hon. Members ask for an explanation after the lapse of four years, they ought to take care that they do not impute words to others which were never uttered. I never said that the hon. Member acted dishonourably—I have not the slightest recollection of having used such words, or expressed such a feeling. [Mr. FERRAND: It was imputed to me in the report.] I thought the hon. Member said that I charged him with it. Now, as to the report, the question was virtually whether

the Poor Law Commissioners should be abolished or not. I said, in the year 1842, that such a step would not be advisable, because I thought that entire dependence could not be placed on the local authorities without supervision. I appealed to the experience of the past in reference to the small workhouses, in order to show that entire dependence could not be placed on the local authorities. I quoted the report of a gentleman with whom I had no acquaintance — a public officer, Sir John Walsham — as so the state of the workhouse in the Keighley union ; and I said, that in my opinion, that report confirmed my impression that entire dependence could not be placed on local authorities in respect to the administration of the Poor Laws, freed from all superior control. The hon. Member said that he denied the allegations in the report—that they were altogether unfounded. [Mr. FERRAND : Not altogether.] The House will observe what passed. On the hon. Member stating that the reports were not altogether, but in the greater part unfounded, the gallant Commodore who sits opposite (Sir C. Napier) said, "I think this question ought to be made a subject of inquiry." The gallant Officer remarked that the Secretary of State challenged inquiry, and he thought that the hon. Member for Knaresborough equally demanded inquiry; he recommended, therefore, that a Select Committee should be appointed, to which should be referred the report of Sir J. Walsham, from which I have quoted a sentence. That Committee was appointed, and, having made a full inquiry, they presented their Report, and it was to this effect :—

"No attempt has been made to impugn the general accuracy, nor, with one or two trifling and immaterial exceptions, any of the details of Sir John Walsham's report. The accuracy of his report as to the Keighley poorhouse is borne out by the evidence."

That was the Report made by the Select Committee appointed at the instigation of the gallant Commodore, and when it was presented, the justice of it was disputed. A counter report, calling in question the accuracy of Sir John Walsham's Report, was proposed, but the resolution in favour of Sir John Walsh's accuracy was confirmed by the following Members :—Mr. Childers, Mr. Pakenham, Sir C. Napier, Sir J. Trollope, Mr. Bolton Clive, and Mr. Manners Sutton. Three Gentlemen, however, dissented, and they were Mr. Ferrand, Mr. Holditch, and Mr. Colville. After about three years and a half have elapsed, the hon. Member for Knaresborough refers to the Report, and inquires if I am prepared to prove the unfounded charge I made against the ratepayers of the Keighley Union. I say I made no charge. I relied upon Sir J. Walsham's report. If, indeed, I had made an erroneous and injurious statement, I should have the greatest pleasure in correcting it. I have said so before, and I say so now. If I felt, in reference to these transactions, that I had done injustice to the guardians or to the ratepayers of the Keighley I should have no hesitation in admitting it ; but adverting to the Report of the Committee, and recollecting the speech of the gallant Commodore, I do not feel that I said one word that was unjust towards the guardians or the ratepayers. Therefore, I am not prepared to retract what I stated in the month of June, four years ago.

MR. FERRAND : I rise in explanation. The right hon. Baronet charged the ratepayers with being the cause of the crowded state of the Bingley workhouse ; but the fact is, that the Commissioners themselves have sent in the paupers, and have had the control of the workhouse for three years. Under the old law it held twelve, and under the new fifty-nine have been put into it.

SIR R. PEEL : It is inconvenient to refer to matters that passed so long ago ; but did not the hon. Member say that he altogether disapproved of the New Poor Law ; and that although he was chairman of the board of guardians he would not adopt any step to carry it into execution ? Under the existing law, the guardians have the power of administering outdoor relief ; and were not representations made to the Commissioners that the ratepayers ought to be taxed in order that they might erect a fitter building ; and have they not up to this day refused to accede to that course ? Where is the point, then, on which I have made an unfounded charge ?

Subject at an end.

SIR CHARLES TAYLOR.

MR. C. BERKELEY wished to put some questions to the hon. Member for Athlone (Mr. J. Collett). If the accusation against Sir Charles Taylor were true, the Secretary of State was bound to advise Her Majesty to dismiss Sir C. Taylor from the commission of the peace : if the charge were untrue, the Member who brought it

forward, unsupported by evidence, was not fit to sit in this House. The question he had to put to the hon. Member for Athlone was this—whether he had sent his affidavits against Sir C. Taylor to the Secretary of State for the Home Department, in order that they might be followed up by an ample inquiry?

Mr. COLLETT remarked that the questions of which notice had been given were three; and he hoped, in his character of an Irish Member, to be allowed to reply to them all, though he had yet only heard one. He had put himself to considerable personal inconvenience for the purpose; but the three questions of Wednesday had dwindled down to one on Thursday. In reply to the first question, he had to state that, since Monday last, he had taken no further steps in the business. In answer to the second, whether he had lodged his affidavits in the hands of the Secretary of State for the Home Department, he would mention that on Tuesday morning, before the hon. Member gave his notice of questions, he (Mr. J. Collett) had employed himself in making copies of all the documents which he had sent to the right hon. Baronet, with a letter, which, perhaps, he might be allowed to read to the House. The hon. Member read the letter, to the effect that he had sent the affidavits, &c., respecting which he hoped that the earliest opportunity for inquiry would be taken, and the result be stated to the House, and that he deliberately repeated his belief in the truth of the affidavits; and that as the right hon. Baronet had asked for the affidavits, in order to found a prosecution upon them, he trusted that, if such prosecution should be instituted by Her Majesty's Government, he should be included in it. This was not meant as an idle threat, but seriously, because if the other parties deserved to be prosecuted, he was most materially involved in the charge. The last question of the hon. Member for Cheltenham was, whether he (Mr. J. Collett) intended to take further proceedings, or to allow the matter to remain where it was? To that he might reply, without pledging himself as to what further proceeding he might think proper to adopt, that he was desirous of the fullest and most searching inquiry, and that if the hon. Member would move for a Committee for the purpose, he would second the Motion with the utmost pleasure.

Sir JAMES GRAHAM felt himself at liberty to state to the House what was the result of the consideration which he had given to the documents submitted to him last Tuesday. He had carefully considered the affidavits; and from the best inquiry which he had been able to institute, the impression which he at first entertained, and which he had expressed to the House, was, he thought, the right one. It was, that the affidavits were extra-judicial, and if false, no indictment for perjury would lie against their authors. Again, if false, although they were were clearly slanderous, no civil action could be brought against the parties issuing them. If they were false, there was, therefore, no remedy against their authors —but on the other hand, if they were true, it could not be doubted but that a criminal information might be filed against Sir Charles Taylor in the Court of Queen's Bench, certainly the most fit tribunal for the institution of such an inquiry. He was not prepared to include the hon. Gentleman (Mr. Collett) among the parties prosecuted; but, actuated by public spirit, as the hon. Gentleman was, the proper course for him to pursue, if he put faith in the affidavits, was to become prosecutor, and proceed against Sir Charles Taylor at law.

VISIT OF IBRAHIM PACHA.

Mr. MONCKTON MILNES inquired whether Government had invited the distinguished son of that great man, Mehemet Ali, to visit this country?

Sir R. PEEL would best perform his duty by simply stating that, on its being intimated to the Government that it was likely that Ibrahim Pacha would visit this country, a direct assurance was immediately conveyed to him that, if he did, it would be the wish of the Government to show him every attention in their power.

EQUESTRIAN STATUE TO THE DUKE OF WELLINGTON.

Lord ROBERT GROSVENOR wished to put a question as to the intended equestrian statue to the Duke of Wellington. Some three weeks ago a scaffolding had been commenced round the arch on Constitution-hill, and on inquiring what was going forward, he was told that the enormous colossal statue to the Duke—a statue much too large for the intended base, was to be immediately placed upon the summit of the arch. Since that period, however, objection was taken to the destination of the statue, and some attempt was made to

ascertain whether the arch was strong enough to bear its intended load—the result of which was a report that a large outlay would be required to put the building into a condition to support the statue—and a rumour that Government was likely to interfere and put a stop to the operation. Since then, however, he had heard that proceedings were still going on; and what he wished to know, and what he was sure the public wished to know, was whether the site in question was to be disfigured by the Wellington Statue Committee.

SIR R. PEEL should like to leave on record what had passed that evening, as an instance of the number and variety of questions a Minister of the Crown was expected to answer on one day. First, he had been called upon to answer a question respecting the Customs Tariff of this country and of the Zollverein; then came a question about the Bingley union; then another respecting the visit of Ibrahim Pacha; and now came a question respecting the Duke of Wellington's statue. He believed the facts were these—and when they were stated, he did not think that there would be found any ground for any accusation against Her Majesty's Government. Some time ago a subscription had been proposed for erecting an equestrian statue to the noble Duke, and a Committee had been appointed by the subscribers to direct the application of the fund. But before the subscriptions were raised a communication had been made to His late Majesty King William IV., who had been requested to state whether, in the event of the proposed subscriptions being raised for a magnificent equestrian statue to the Duke of Wellington, His Majesty would give his consent to its being placed on the arch at the top of Constitution-hill. Subsequently, a similar request had been made to Her present Majesty; and, he believed that Lord Melbourne, who was then Prime Minister, had been authorized to communicate to the Committee that Her Majesty would confirm the intention of Her Royal predecessor. Therefore the subscriptions had been raised after two successive Sovereigns had declared that they had no objection to the proposed site of the statue. He would not give any opinion on the question; but the noble Lord was of opinion that the statue, if placed as proposed, would disfigure the neighbourhood. The subscribers, on the contrary, thought it would be a very great ornament to the neighbourhood. In fact, they ought to have withheld their subscriptions if they disapproved of the site on which it was proposed to place the statue. He had felt disposed to think that a better site might be chosen. However, there was great difference of opinion as to the best mode of placing the statue. Then the architect's opinion as to the strength of the arch was to be considered. On the matter being brought before him, he had proposed, on the part of the Crown, to give almost any other site that might be agreed upon. The statue might be placed either between the Athenæum and the United Service Club-houses, or in the immediate neighbourhood of the Duke of Wellington's residence, or near the Horse Guards. He had also undertaken, on the part of the Government, to propose to Parliament to vote a sum for the erection of a suitable pedestal, and that, on the whole, he had thought would have been the more satisfactory mode of settling the matter; but the Committee having again considered the subject, thought, that the consent of Her Majesty having been formally signified to them, and considering that many of the subscribers had subscribed with the idea that the site originally fixed upon would not be departed from, doubted whether they had the right to make any alteration in the site, and therefore it was determined by the Committee (he believed unanimously), that the site should not be altered. Now, certainly these assurances having been given on the part of the Crown, and the Committee having come to the resolution that they could not alter the site, he could not advise Her Majesty to withdraw the consent that had been given by herself and her predecessor.

MR. BAILLIE observed, that it was generally reported that the statue was too large for the arch, and that it was consequently to be placed lengthways to the arch, so as to look east and west, or at right angles to the road; and what he wished to suggest was, that at all events the statue should be placed properly on the arch.

SIR R. PEEL apprehended that if the statue were to be placed north and south, it would somewhat obstruct the thoroughfare by breaking down the arch.

THE OFFICERS OF THE ECCLESIASTICAL COMMISSION.

SIR J. GRAHAM, seeing the hon. Member for Maldon (Mr. Evelyn Denison) in his place, would take the opportunity of

making an explanation to him on behalf of the Ecclesiastical Commissioners. The hon. Gentleman had lately brought under the notice of the House the conduct of the Solicitor of that Commission, who had circulated a paper with reference to a discussion in a Committee of this House, which he had the high authority of the Speaker for saying was a breach of the privileges of the House. He was, however, directed by the Ecclesiastical Commissioners to express their regret, that their Solicitor should have violated the privilege of the House—a regret which they felt the more deeply, inasmuch as the document contained comments on the conduct of hon. Members which were quite incorrect and unfounded.

Mr. J. E. DENISON said, that the intimation was perfectly satisfactory. When he had ascertained the contents of the letter in question, he had written to the Earl of Besborough, who was to preside at a meeting of the Commission the following morning, stating that the document was inconsistent with the privileges of the House, and not the less so, because the statements it contained were incorrect. He had further stated in this communication, with regard to Mr. White, the writer of the letter, that all he had done before the Committee, was done with propriety and ability. He trusted that the explanation which had been now given would set him right with all parties; he had every disposition to put a favourable construction on Mr. White's motive.

The ATTORNEY GENERAL said, that had he been aware at the time, which, from the noise in the House, he was not, that the hon. Member for Maldon was making some disparaging observations on the conduct of the Secretary of the Ecclesiastical Commission, Mr. Murray, he (the Attorney General) would not have lost the opportunity of declaring, that from Mr. Murray's high character, a character earned by thirty-five years' experience in a public capacity, nothing was more unlikely than that any step officially taken by that gentleman would be of such a nature as to require such animadversion. [*Cries of* "Order!"] He thought he should have been allowed to rebut a personal accusation, which had given great pain to an individual.

Mr. HUME: I move that the Paper said to be an invasion of the privileges of the House be put in, thus giving an opportunity for discussion.

The ATTORNEY GENERAL resumed. The first charge made against Mr. Murray was, that he was a dealer in railway shares to the amount of 260,000*l*. The facts were, that Mr. Murray, in 1844, became a director of an established company—the South-Eastern Company. Finding, however, that the Commissioners objected, his name was immediately withdrawn. But while he was a director, it was proposed to extend the line, and it became necessary that another subscription contract should be deposited, in order to satisfy the Standing Orders. The shareholders being very numerous, and it being quite impossible to collect them in order to obtain their signatures, it was proposed by the solicitor that a certain number of the directors should sign the contract as trustees for the general body; and in the character of trustee only did Mr. Murray sign it. The liability was now finally put an end to, the responsibility being taken by the directors in a different form. He did not think any blame could be attached to Mr. Murray on this head. Now, as to the other charge. It appeared from a statement made to him, that a gentleman, the son of a clergyman, was employed by the Eastern Counties Railway, not as one of their servants, but in a confidential business which they were anxious to transact; and it being very desirable that he should have a second room, where he could have his papers under lock and key, Mr. Murray gave him the accommodation in Whitehall Palace, and that was the sole ground of fastening on Mr. Murray the charge of having used his office for the purposes of the South-Eastern Company. He should add, that Mr. Murray performed very responsible duties with the strictest honour and integrity, and that he believed he might in all respects be relied upon.

Mr. J. E. DENISON: The very singular and remarkable indiscretion of the Attorney General compelled him to enter a little further into a matter which, so far as he was concerned, he should willingly let drop. As to the Ecclesiastical Commissioners, the right hon. Gentleman admitted that he was incorrectly informed as to their conduct, and it was of course unnecessary to enter into explanation on that head. He should like to ask the House whether they would take the assurance of the Attorney General, or the opinion of four selected Members, and of seven Members from the Speaker's list, who, one and all, expressed it as their decided opinion that the prayer of the Ecclesiastical Commissioners to be

heard in opposition to the preamble of the Bill was not well advised, and should receive the animadversion of Parliament? The right hon. Gentleman said that he had used a strong expression with regard to Mr. Murray. That remark was, that a highminded man, having an immense amount of property passing through his hands, and having public interests of the gravest moment submitted to his consideration, would not have acted as Mr. Murray did. In justice to himself, he was compelled to give the House some further information as to this gentleman. When he spoke of Mr. Murray on a former occasion, he merely referred to two matters which forcibly came under public notice; first of all, the subscription to the railways; next, that his whole time was not given to the public service; and, lastly, he touched on the proceedings before the Committee. But the Attorney General had compelled him to state a circumstance which was very painful to allude to, but which he must divulge in justification of himself. It happened to him, about six weeks ago, to be admitted to an audience in explanation of a business which had been some years before the Ecclesiastical Commissioners. On that occasion, a report was to be read for his information. Every member of the Commission had that report in his hand, and was completely conversant with its contents. Mr. Murray was desired to read it. In a part of that report a passage occurred, in which the surveyor of the Commissioners recommended them not to sell a certain property, because its retention would give considerable political influence. Mr. Murray dropped the word "political," and read great influence; on which the Bishop of London, sitting near him, said, "read fully or fairly"—he could not say which—"it is political influence." Now, he asked the right hon. Gentleman if a counsel in a court, or any individual of character, was asked to read a public document for the information of the court, and that such officer was to omit the word which gave the whole point to the sentence, he asked whether such a man would come under the denomination of a highminded gentleman? He saw one of the Commissioners present who heard what took place. And he now asked the House this—when he was compelled by a sense of duty to animadvert on the public conduct of Mr. Murray with regard to matters before the House, and when, though he communicated some other circumstances to the right hon. Gentleman, he refrained from stating them to the House—he asked whether he was disposed to deal harshly with this gentleman; and, further, whether he was not justified in the remarks which he now made under a sense of public duty?

MR. HUME withdrew his Motion, and the discussion ended.

MR. W. SMITH O'BRIEN.

MR. SPEAKER: I have to acquaint the House that I have received the following communication from Mr. S. O'Brien:—

"Prison, House of Commons, May 21, 1846.

"Sir—I take the liberty to call your attention to the following correspondence between the Clerk of the House of Commons and myself:—

"'Prison, House of Commons, May 20, 1846.

"'Dear Sir—I beg to call your attention to Standing Order No. 4, page 13, and shall feel obliged if you will inform me where I can find the appointment of a Committee of Selection pursuant to that Order, as I have in vain searched for it in the Votes of the House of Commons.

"'It being my intention to cause the attention of the House of Commons to be directed to this Correspondence To-morrow, may I request that you will send me an immediate and official reply.—I have the honour to be, your obedient faithful servant,

"'WILLIAM S. O'BRIEN.

"'To John Henry Ley, Esq., Clerk of the House of Commons.'

"To this note I received the following answer:—

"'May 20, 1846.

"'Dear Sir—In answer to your note, delivered to me by Mr. Mahony, I consider it will be sufficient for me to say that the Committee of Selection is appointed and named by the Standing Order No. 4, and that it was not considered necessary at the beginning of this Session to read that Order, as has sometimes been done, and for the House to make an Order that the Committee of Selection be appointed accordingly. You will, therefore, not find any entry in the Votes.—Your obedient faithful servant,

"'JOHN HENRY LEY.'

"Mr. Ley's letter confirms my conviction that the Committee of Selection was not appointed for the present Session in due conformity to Standing Order No. 4, which is worded as follows:—

"'That a Committee be appointed at the commencement of every Session, consisting of the Chairman of the Select Committee on Standing Orders, and of the Chairmen of the Committee and of the Sub-Committees on Petitions for Private Bills, of whom Three shall be a Quorum. And such Committee shall be denominated the Committee of Selection.'

"It is manifest from Mr. Ley's Letter that there is no Evidence in the authentic Records of the House of Commons that Mr. Estcourt and the other gentlemen who have acted as a 'Committee of Selection,' have received due authority from the House to act in that capacity during the present Session.

"Under these circumstances, all the proceedings which have led to my imprisonment, have

been void and informal *ab initio*. I, therefore, respectfully claim my immediate discharge.

"I cannot conclude this Letter without recording my solemn Protest against the conduct of the House of Commons, in having subjected me to Imprisonment. Even if the Committee of Selection had been duly nominated, I should still deny that I have violated any Law of the Land, and should therefore regard my Imprisonment as contrary to the Law and Constitution of these Realms.

"As I do not desire to throw upon you the responsibility of expressing my opinion upon this case, except under the sanction of the House of Commons, I do not expect an answer to this letter, but respectfully request that you will do me the favour to lay it before the House of Commons today, at five o'clock, and to invite the opinion of the House upon it.—I have the honour to be, your obedient faithful servant,

"WILLIAM S. O'BRIEN.

"To the Right Hon. the Speaker," &c.

MR. O'CONNELL: I hope I shall be permitted to move that this correspondence be printed, circulated with the Votes, and taken into consideration to-morrow.

Ordered accordingly.

NEW ZEALAND.

MR. C. BULLER, in the present state of public business, could not think of bringing forward his Motion on the subject of New Zealand. He therefore withdrew his Notice, reserving to himself the liberty of renewing it when he might deem it necessary. At the same time, perhaps, the right hon. Gentleman would give an assurance which would be most satisfactory to the settlers, that it was not the intention of Government to allow the Session to pass without introducing some measure in reference to this Colony. Such an assurance would allay great anxiety.

SIR R. PEEL: I am afraid the only assurance consistent with my duty which I can give is, that such an intimation shall be conveyed to the hon. and learned Gentleman as to the intentions of Government as shall enable him to bring forward any Motion which he may think fit at a period of the Session which will ensure full inquiry. The House, no doubt, bears in mind all that passed during the last Session as to this Colony. To the opinions I then expressed, and to the principles of the policy on which the government of New Zealand should be conducted, I still adhere; and no efforts have been spared by the Government, so far as circumstances would admit, to give effect to that expression of opinion on my part and on that of the Government. We are in this predicament. Captain Fitzroy having been recalled, a gentleman eminently distinguished for his success in another Government was appointed to the Government of New Zealand. At the period at which the last accounts came he had been but a few weeks in office; and I must add that, from the general tenor of the reports received from him, the favourable opinion entertained by the Government with regard to his ability, firmness, and resolution, has been entirely justified. In his last report he stated that he was about to leave the seat of Government for the purpose of directing an attack against a chief who had been connected with Heki in the Bay of Islands. He was to have at his command all the available military force of the Colony, and was also to be assisted by a naval force. Under these circumstances, the next accounts may bring a report of a most important bearing on the state of the Colony, and the result may be that the Bay of Islands will be reduced to complete subjection. I cannot then give any other assurance than that I have before intimated.

REAL PROPERTY.

VISCOUNT EBRINGTON rose to move an Address for the re-appointment of the Real Property Commission, when there being only 27 Members present, the House was counted and adjourned at half-past seven o'clock.

HOUSE OF LORDS,

Friday, May 22, 1846.

MINUTES.] *Took the Oaths.* The Bishop of Tuam.

Sat first. The Lord Saye and Sele, after the Death of his Father.

PUBLIC BILLS.—*Reported.* Friendly Societies.

PETITIONS PRESENTED. By Lord Campbell, from Deskford, and several other places, praying that a Bill may be passed for compensating Proprietors of Lands for the Purchase of Sites for Churches (Scotland).—From Inhabitants of Mallow, and several other places, for Protection to the Agricultural Interest. — From Downham, and several other places, in favour of the Corn Laws.—From Guardians of the Dungarvan Union, for the Amendment of, and suggesting certain Alterations in, the Poor Law (Ireland).—From Tweedmouth, and other places, for the Better Observance of, and for the Prevention of the Sale of Intoxicating Liquors on, the Sabbath.—By the Bishop of Hereford, from Wenlock and Maidstone, against the proposed Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—By the Marquess of Normanby, from Kingston-upon-Hull, and several other places, in favour of the Corn Importation Bill.—By Lord Ashburton, and other noble Lords, from the Society of British Artists, for a Measure to Legalize and Protect Art Unions.—From Moderator and Remanent Members of the Presbytery of Fordoun, praying for the continuance of the Laws which require Subscription of Religious Tests from Professors in Scotch Universities.—From Sussex, against the Corn Importation Bill.

ART UNIONS.

The DUKE of CAMBRIDGE presented

a petition from the Members of the Art Unions, praying that an Act might be passed to legalize and protect Art Unions. The illustrious Duke observed, that he thought that the House would do well to assent to the prayer, as he believed that a great deal of good had been effected by the establishment of these associations, particularly by the encouragement which they afforded to young artists.

Lord MONTEAGLE said, that he wished to call the attention of Her Majesty's Government to this petition, which was the first of a series that would be presented on the subject representing the feelings of not only the artists of the country, but the great body of those who were interested in the fine arts. The Committee of the House of Commons, appointed in 1835, had made inquiries which showed that Art Unions had been attended with the most beneficial consequences wherever carried out. The amount of capital which had been devoted to the purposes of art by the Art Unions exceeded all the votes which Parliament had ever given for that purpose. They had done more for the promotion of art than the Legislature ever had done. They had applied their encouragement to every branch of art; they had given prizes, as Government had done, for the best designs; they gave prizes also for the best productions in stone and marble. They had extended, too, their association over the greater portion of the earth, and a letter had been received that very day from China, giving an account of the establishment of a branch of the Art Union in that Empire. It was scarcely to be believed that, in defiance of all the experience which they had had on this subject, any doubt should exist as to the desirableness of legalizing Art Unions. A Committee had been appointed by Parliament, who had laboured sedulously for two Sessions, and they had reported in the most unqualified manner that these associations should be legalized. It appeared that the Art Unions were as anxious as any society to prevent abuse; they did not wish to encourage lotteries, but they prayed their Lordships to give their sanction to a Bill authorizing the Crown to grant a charter, subject to such conditions as might be proposed. That was the utmost extent of their request, and when their Lordships considered that they had released parties from debts contracted at race courses and gambling houses; and when they considered that they had, in the couse of last year, interfered to protect a great body of the people—those connected with the newspaper press—the artists of this country were not asking their Lordships too much, to afford them a similar protection.

Lord BROUGHAM said, that he was grateful to his noble Friend and to the illustrious Duke for having brought forward this subject, for he believed there never was a grosser delusion than that which people entertained, namely, that because exemption was to be given to Art Unions, a similar exemption ought to be given to other tradesmen, such as carpenters, blacksmiths, &c. The fact was this, those tradesmen dealt in articles which were always in general and effectual demand, but articles of taste seemed to require some extraordinary encouragement. We had already founded the Royal Academy for the purpose of giving encouragement to the arts. No doubt the Royal Academy had been of much use to the fine arts. Perhaps it would have been of more use if it had been a little less exclusive, and if a greater encouragement had been given to those who were not members. He believed that these Art Unions had been the means of expending far more money in the encouragement of the arts, than had ever been given by the munificence of the country.

The Marquess of LANSDOWNE presented a similar petition from certain artists of the United Kingdom: amongst the names he saw those of Eastlake, Roberts, Ross, Landseer, Westmacott, and Barry. He thought that the time had now arrived for some permanent legislation on this subject. That question ought to be kept entirely separate from the question, whether such a description of rewards tended to affect in any way the higher branches of art. That question was one which might safely be left to the discretion of individuals to decide. Parliament ought only to take care that these societies did not for the purpose of profit establish lotteries. He believed that it would be easy to frame a Bill prohibiting these societies from entering into such speculations. He concurred with his noble Friend, that authority ought to be given to the Government to grant charters to those societies after a full preliminary inquiry had been had in each particular case.

Subject at an end.

CRIME IN IRELAND.

The Marquess of NORMANBY rose to move—

"That there be laid before this House a Return of the Murders, and Attempts to Murder, committed in Ireland during each Month from the first of January, in this year, distinguishing the Hours of the Day or Night at which such Outrages were reported by the Constabulary to have been committed."

He would detain their Lordships a few minutes whilst he explained to them the circumstances which induced him to move for that Return, and he would also feel it necessary to direct attention to some allusions which had been made on the subject of a Bill which had been recently discussed there. It so happened that considerations affecting his health had caused him to be absent from their Lordships' House during the earlier part of the Session, and during that absence a Bill was introduced by Her Majesty's Government which was variously called—namely, the Coercion Bill by its opponents, and by its advocates a "Bill for the Protection of Life and Property in Ireland." That Bill, he believed, met with no very strong opposition, though it was considerably altered in detail, and many of their Lordships did not give it a very cordial support. He must say that he sincerely deplored the increase of those crimes which that measure was intended to repress; and he regretted that Ireland should be subjected to a just reproach on that account, when it was most important that she should enlist on her behalf the sympathies of the people of this country. He was not, however, convinced, by anything he had yet heard, that the Bill recently sanctioned by their Lordships was calculated to remedy these evils; and he thought what had since occurred must have proved to Her Majesty's Ministers, if they had ever been convinced of the necessity of the measure, that they had formed an erroneous opinion. After the recommendation contained in the Queen's Speech at the opening of the present Session—a recommendation put into Her Majesty's mouth by her constitutional advisers, calling upon Parliament to interfere to repress the crime of assassination in Ireland—the Ministers of the Crown ought not to have allowed a single day to pass without bringing in a Bill to effect that object; and urging it upon their Lordships for discussion, instead of adopting the tardy and dawdling mode of proceeding which had characterized them with regard to this Bill. The Government should not have introduced that Bill in the House of Commons, more especially, when another Bill which attracted so much public attention was before them, unless they were resolved to proceed with it, and were perfectly convinced of the necessity of the measure. The evil of taking a course of that kind was not merely negative, for it had a tendency to destroy the moral influence of a Government; and whilst there was no doubt of the feelings of all parties in Parliament against such crimes, yet, when they were engaged night after night in showing that such a Bill was not applicable, they were more likely to forget the occurrences against which it was directed, whilst the ignorant would be too ready to attribute those arguments to a carelessness of crime on the part of those who opposed the Bill. He believed that a systematic and steady administration of the law would have been sufficient for the repression of crime in Ireland. The present mode of proceeding by the Government united all possible evils; it was tardy and dawdling, while the measure itself outstepped the limits of the Constitution. If ever a plan united all the objections to which it could be exposed, it was that of taking a single stage of a measure, while another Bill was before the House, and postponing its future progress until some distant day. Government thereby naturally exposed themselves to the charge that they were not convinced of the necessity of the measure, and their moral influence on this subject was destroyed. One of the propositions of the Bill was, that persons in proclaimed districts should not be allowed to leave their dwellings during the night time, even in the month of December, whilst the Bill was brought in at such a time that, if it passed, it would be put in operation at a time of the year when, according to the almanacks, there was no real night. Since his return to this country, his attention had been called to a speech of a right hon. Baronet in another House on the subject of the Bill to which he alluded, in which he described the number of crimes that had taken place in Ireland within a recent period, as a proof of the necessity of that Bill; but he (the Marquess of Normanby) had remarked that all the crimes to which the right hon. Baronet had referred, had been committed in the day, and not in the night, and could not be good arguments for the provisions preventing persons from appearing out of their houses at night. The right hon. Baronet, in alluding to the four years from 1835 to 1839, candidly admitted, what indeed he could not deny, as it appeared on official record, that there was a gradual diminu-

tion in crime; but how did he account for that diminution? He stated that it was because there was a law similar in its provisions to the Bill which the Government now introduced in existence in Ireland during those four years. Now, once for all, he (the Marquess of Normanby) would, in the strongest terms which he could use, both on the part of the Government with which he was at that time connected, and on the part of the people of Ireland, deny that there was any foundation for that inference. It was proved before a Committee which investigated the subject, that the diminution in crime had arisen from totally different causes; and in stating that, he (the Marquess of Normanby) did not wish to make any invidious distinction between his government in Ireland, and that of his two noble Friends who had preceded him in the government of Ireland. They had difficulties to contend with which he had not experienced; and he would only say on his own part, that during the time he was in Ireland, he, and those who acted with him, claimed no more credit than this, that they had carefully endeavoured to avail themselves of the favourable circumstances which presented themselves, and which his two noble predecessors had not enjoyed. It would appear, from the statement which had been made on the subject, that during the period referred to, 1835 to 1839, the Bill had been introduced; but it was in 1833 that the Coercion Bill had been brought forward by the Government, and that at that time he (the Marquess of Normanby) was at the other side of the globe. He hoped the Government would avail themselves of the recess which was coming on to reconsider the question, and he was sure they would come to the conclusion that coercion was not the way to inspire men with confidence; and never had been, nor never would be, while human nature remained what it is. If the principle, that coercion was beneficial only for the fear it inspired, then there was no autocracy or despotism which might not be justified by that argument, provided it was mildly administered. If such a sentiment were expressed, it did not look like the expression of a strong Minister. He hoped their Lordships would be told to-night what were the intentions of Government with respect to the Coercion Bill. It was not proper it should be held up in its present state of suspended animation. If it were the intention of the Government to go on, let them boldly meet the opposition it encountered; or, on the contrary, which would be better, let them avow that they had changed their opinion, and did not intend to press the measure.

The EARL of ST. GERMANS regretted the absence of the noble Marquess at an earlier period of the Session; and he was sure that every noble Lord in that House, as well as himself, regretted the cause of that absence. If the noble Marquess had been present when the Bill was before their Lordships, he would, no doubt, have been better acquainted with its origin and history. During the summer and autumn of last year assassination and other offences had become very frequent, and the increase went on to such an extent that it was deemed advisable to strengthen the hands of the Government in Ireland; and all the means at its disposal were applied for the purpose of suppressing crime. It was under those circumstances that the Ministers of the Crown felt constrained to advise Her Majesty, in her Speech from the Throne, to recommend to Parliament the adoption of some measure for effectually checking them. Her Majesty did so, and both Houses of Parliament unanimously agreed to the propriety of the recommendation. The noble Marquess taunted the Government with slowness and delay. It was quite true the Government did not act hastily or precipitately—they acted with great reluctance, and were most unwilling to call for extraordinary powers. It was no light matter to abridge the constitutional privileges of the subject, and it was not until there was no hope of a better state of things being brought about, that they consented to do so. The Government had entertained a hope that the expression of abhorrence at these crimes by Her Majesty, as well as the unanimous disposition of both Houses of Parliament to acquiesce in Her Majesty's suggestions, would have had a beneficial effect in discouraging their commission. It was not until this hope failed that the Bill for the Protection of Life in Ireland was laid on the Table of the House. Noble Lords opposite had shown a disposition to consider the question fairly and without party spirit, and the Bill met with the almost unanimous support of the House of Lords. It passed their Lordships' House on the 13th of March, and went down to the House of Commons; but it did not pass the first reading in that House until the 1st of May, owing to the opposition it met with. He did not dispute the right of Members of the House of

Commons to exercise the right of opposing a Bill on the first reading; but he must say that he thought the Members of it ought to exercise them with great discretion; and he thought that out of respect to that House, and having regard also to the importance of the subject, that it should have been permitted to pass through the first step in the usual manner. As regarded the progress of the Bill after the first reading, it must be recollected that a measure of vital importance to the commercial and agricultural interests of this country had been introduced into the House of Commons, before the Coercion Bill reached it, and he felt sure that even noble Lords on the cross benches would agree with him in thinking that the present state of suspense regarding the Corn Bill should not be unnecessarily prolonged. He felt convinced that their Lordships would agree with him in thinking that the Government could not, in justice to the other important business of the country, have done more than they had done; if they had went on with the Irish Bill, they must inevitably have suspended the whole business of the country. The opinions the Government formerly entertained respecting this Bill they still retained, and he hoped the state of public business would enable the House of Commons to recommence their deliberations upon it; but he felt sure the House could not expect him to fix upon any particular day when the discussions in another place would be resumed. With regard to the speech delivered by his right hon. Friend in the other House, he must say that the practice of replying in one House to speeches delivered in the other was extremely inconvenient; and the noble Marquess had no ground for adopting that course in the present case. The noble Lord the Member for the West Riding of Yorkshire (Lord Morpeth) could have given any explanation in that House that was necessary. After all, the noble Marquess had only drawn an inference from the speech of the right hon. Baronet; and it was for their Lordships to determine whether that inference was a correct one. The noble Marquess had boasted of the tranquillity of Ireland during his administration; but it appeared that during the whole of that period an Act similar to the present had been on the Statute-book. It was more stringent in some respects, since it enforced the penalty of transportation. It also enacted the clause against which the noble Marquess had now protested—that of preventing persons from leaving their dwellings between sunset and sunrise. As respected the system of terror to which the noble Marquess had alluded, he hoped that even if the Bill passed into a law, it would be necessary to exercise it in only a few districts, if in any. But he could inform the noble Marquess, that unless circumstances over which the Government had no control occurred, it was the determination of the Government to proceed with this measure.

The MARQUESS of CLANRICARDE said, that the noble Earl, if he had understood him correctly, stated that the delay of five weeks in introducing this measure into Parliament after the Session commenced, was occasioned by the hesitation and reluctance of the Government to depart from the usual course of proceeding, and the strict principles of the Constitution. Now, he must say, it was with the greatest regret he heard the announcement that the Ministers of the Crown, without any such reluctance — without any such hesitation, had compromised the dignity of their Sovereign so far as to recommend distinctly to both Houses of Parliament, in the Speech from the Throne, that such a measure as had been adverted to should be taken into consideration, when they had not only not determined what law and what departure from the Constitution was necessary; but that they were even then hesitating and reluctant whether there should be any such departure at all. And it was to enter his protest against such conduct on the part of the Government that he now rose. When, however, the Government did bring forward such a measure, and said it was necessary on account of the state of the country, he could not take upon himself the responsibility of opposing it. But might it not be that the necessity for this measure arose from the want of influence of the Government in Ireland? Their Lordships might have read in the newspapers of that morning that there had been in one part of Ireland an open revolt against the law, and that loss of life had ensued. But, in other parts of the country neighbouring to that where that melancholy occurrence took place, he knew it to be a fact, that the reason why more outrages were not recorded was, that there the struggle had ceased, and that the parties leagued for disorder were in command of the country. He did not think that this measure could do any good now, from the way in which it was brought be-

fore Parliament, and the way in which it was likely to pass. But, whether it were thrown out or not, he hoped that both Houses of Parliament had shown themselves sufficiently jealous of departing from the strict principles of the Constitution, and that it was not until they were actually driven by necessity, that either House of Parliament would adopt a measure so stringent.

The Earl of ST. GERMANS said, that if the expressions in Her Majesty's Speech had succeeded in repressing crime in Ireland, this measure would not have been brought forward.

The Marquess of CLANRICARDE said, if the Government had had the Bill prepared, the more were they to blame for not bringing it forward immediately after the Session commenced.

The Duke of WELLINGTON wished to say a few words with respect to the preparation of this measure. He perfectly recollected that the measure was in a certain degree prepared before the Session commenced. The Government here were in communication with the Irish Government on the subject, and the details of the measure were under discusssion, there being, as the noble Lord was aware was usual in such cases, communication between the law officers of the Crown in both countries, which necessarily occupied some time. But positively the measure was in the course of preparation before it was mentioned in Her Majesty's Speech,

The LORD CHANCELLOR, in confirmation of the statement of the noble Duke, said the measure was shown to him immediately before or immediately after the commencement of the Session.

The Earl of WICKLOW said, if the Bill were not imperatively necessary it should never have been introduced at all; and their Lordships should not have been called upon to pass a measure so evil and pernicious in its influence, unless Her Majesty's Government were fully satisfied of its absolute necessity, as it was upon their responsibility alone that it had received the sanction of that House. Was it not, therefore, most surprising, that after it had been passed by their Lordships, so little progress had been made with it in another place? He only knew by what had appeared in the public papers, what had taken place elsewhere, and he observed that it had been discussed for a considerable number of days, and the First Minister of the Crown had proposed, that if they would allow the first reading of the Bill, that the second reading should not be brought forward until certain other measures should have been passed. He would ask, was not such a course as that mere trifling with the lives and property of the people of Ireland? Was it not tantamount to saying that a measure for the preservation of the lives and property of Her Majesty's subjects was to be placed on a footing with commercial and financial measures? He was quite aware that it was desirable for the commerce of the country that the Corn Law and the other measures should be definitively settled; but he asserted that no such objects bore any comparison with the necessity for this Bill, if it were to pass at all; and he therefore said, that unless the Government came to the determination of abandoning the Bill altogether, they never should have allowed any other measure to interfere with one so important as this. He thought their Lordships would agree with him in believing, that by allowing the greater part of the Session to pass over, without having passed the Bill into law, would to a great extent render it inoperative; in fact, he entertained considerable doubts whether it would now be passed at all—if the Government had intended to carry it out, they should have done so long since.

The Earl of HADDINGTON considered that nothing could be more unfair than the attack that had been made upon Her Majesty's Government. The noble Lord (the Marquess of Normanby) appeared to be unaware of the state of the other House of Parliament during the whole of the Session; and that in consequence of the introduction of the Corn Bill, the right hon. Baronet (Sir R. Peel) at the head of the Government was no longer the strong Minister that he had been before. The Bill, after having obtained the sanction of their Lordships, was taken down to the other House on the 13th of March, when it was proposed to be read soon after that day, but it had never received a first reading until the 1st of May; and the great measure in reference to the corn question was delayed till the first reading had been obtained. A small minority in the House of Commons made use of a power that had never been used before, for it had been usual, as a matter of courtesy, to permit the first reading, without opposition, of any measure sent down from their Lordships' House. They had, however, debated that Bill for seven nights, and oc-

cupied all the Government nights down to the 1st of May, when it obtained a first reading. He would appeal to his noble Friend (the Marquess of Normanby) whether it was possible for the Government to go further with that question in the other House, until the Corn Bill had first been disposed of. What was the threat held out by the Irish Members? That they would impede the business of the House in every way in their power, if it were then pressed forward. Therefore, considering the state of the country, he believed that Her Majesty's Government would have been gullty of great misconduct if they had gone on with the measure at that time; and would contend that they were not responsible for the delay that had unavoidably taken place.

The DUKE of RICHMOND said, that the noble Earl had told them, that the Government had given way to the threats of the Irish Members in the House of Commons, and that they had acted judiciously in doing so. Now, that was what he most disliked on the part of Her Majesty's Government, as they invariably gave way when they were threatened; and it was to that he attributed the introduction of the Corn Bill, as they had given way to the threats of the Anti-Corn-Law League. The noble Lord had spoken of the "small minority" in the House of Commons, which he would take leave to say was much stronger than the Government party in that House, inasmuch as the "small minority" comprised 125 Members, whilst the right hon. Baronet's (Sir R. Peel's) party, who voted on the second reading of the Corn Bill, numbered only 112, and, therefore, were a much less important party than the minority alluded to. He (the Duke of Richmond) had voted for that (Coercion) Bill with the greatest regret; and if it could have been proved to him, that it would not have passed the other House before the 1st of May, he would not have voted for its passing at all. If the Government had considered it necessary to pass the Corn Bill through the House of Commons before proceeding with the Coercion Bill, there was no necessity for proceeding with the Tariff Bill also; because after the passing of "the Resolutions" by the House, the delay of the latter measure could not possibly occasion any inconvenience to the mercantile community, who had the power of taking those commodities which were affected by the Bill into use, by giving a bond to the Government for the duties, which would only be payable under certain contingencies.

Motion agreed to.

House adjourned.

HOUSE OF COMMONS,

Friday, May 22, 1846.

MINUTES.] PUBLIC BILLS.—*Reported.* Superintendent of Convicts.

PETITIONS PRESENTED. By Mr. O'Connell, from an immense number of places, for Release of William Smith O'Brien, Esq.—By several hon. Members, from various places, complaining of the Refusal of Proprietors of Land to grant Sites in suitable places, or on any Terms, for the Erection of Churches for the Free Church in Scotland.—By Mr. Hawes, from Inhabitants of Hastings and St. Leonard's, and by Mr. Traill, from Members of the Free Provincial Synod of Caithness and Sutherland, assembled at Wick, for the Adoption of Measures for promoting the Due Observance of the Lord's Day.—By the Marquess of Granby, from Secular Clergymen and Laymen of the Town of Stamford and its Vicinity, professing the Roman Catholic Religion, in favour of the Roman Catholic Relief Bill.—By Mr. Mainwaring, from Minister, Churchwardens, and Parishioners of Llanferres, against the Union of the Sees of St. Asaph and Bangor, but providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Sir William Molesworth, from George Shillibeer, of the City Road, Finsbury, for Repeal of Post Horse Duties, &c.—By Mr. Barnard, from Members of the Art Union of London, resident in the Town of Deptford and its Vicinity, in favour of the Art Unions Bill.—By Mr. John Henry Vivian, from Proprietors and Members of the Public Library at Neath, in favour of the Corresponding Societies and Lecture Rooms Bill.—By several hon. Members, from various places, for Limiting the Hours of Labour in Factories to Ten for Five Days in the Week, and Eight on the Saturday.—By Sir Howard Douglas, from Ropemakers of the Port of Liverpool, who use Steam Power in their Works, for Exempting Ropemakers from the Operation of the Factories Acts.—By Mr. Busfeild, from Worsted Spinners and Manufacturers of the Borough of Bradford, and by Mr. Hume, from Millowners of Blairgowrie and Rathay, against the Factories Bill.—By Mr. O'Connell, from Bankers, Merchants, and Citizens of Dublin, for Inquiry into Harbours of Refuge.—By Mr. Hawes, from Ratepayers of the Parish of Saint Mary, Lambeth, in Vestry assembled, against the Highways Bill.—By Mr. Morgan John O'Connell, from Tenants under Trinity College, and others interested in Land, in the Barony of Iraghticonner, in the County of Kerry, for Alteration of Law respecting Landlord and Tenant in Ireland.—By Mr. John Benett, from Ratepayers of the Parish of Tulloræ Royal, and from Elected Guardians of the Poor Law Union of Wilton, for Repeal or Alteration of Lunatics Act and Lunatic Asylums and Pauper Lunatics Act.—By Mr. Wawn, from Master Mariners and Seamen in the Port of Newcastle upon Tyne, for Alteration of Law respecting the Merchant Seamen's Fund.—By Mr. Labouchere, from Alexander Shafto Adair, Esq., for imposing Restrictions on Railways.

POOR RELIEF (SCOTLAND).

MR. BOUVERIE rose to ask the Lord Advocate the questions of which he had given notice, and which he begged to say were founded upon the fact of a paper having been printed and circulated amongst the parishes in Scotland, the object of which was to obtain written replies from persons applying for relief to twenty-three queries contained in it. He would not

undertake to read all those queries; but the impropriety of some of them deserved particular attention. One was, "Have you any right to or expectation of inheriting or succeeding in any manner to any property? and if so state the full particulars of such property, and your right, title, or expectation to it." Another was, "State how long you have resided in this parish, also the names and addresses of the landlords from whom you have rented houses. Produce also your receipts for rent and receipts for parish rates, &c., paid by you whilst living in the parish." Another was, "State to what congregation you belonged, or what place of worship you attended." The last was, "Are you willing to subscribe the following declaration, that you will give up your right to whatever property you inherit, until compensation be made to the parish for relief afforded you." The paper on which those queries were printed bore the name of the printers to the board of supervision of the poor. Now the law provided that every destitute person was entitled to relief on proof of destitution; yet he had been given to understand that relief had actually been refused to destitute persons, because they refused to answer all the queries in that paper. He denied that any right existed to compel or to call upon paupers to give replies to them, and he hoped that they had not been issued under the sanction of the Lord Advocate or the Home Secretary: if they had not been so sanctioned, he trusted there would be no objection to giving publicity to the fact that paupers were not bound to answer them all before they could become entitled to relief; and he should therefore conclude by asking the Lord Advocate of Scotland whether a printed paper, entitled "application for relief," have been printed and circulated in Scotland with the knowledge and sanction of the board of supervision of the poor; if so, whether it have been with the sanction of the Lord Advocate or Secretary of State for the Home Department; and whether it have been with their knowledge and sanction, that the applicants for relief are required to answer the queries contained in that form of application before their claim to relief is considered, or that claim allowed?

The LORD ADVOCATE replied that the Messrs. Murray, the printers to the board of supervision of the poor in Scotland, were also printers for their own behoof, and the paper containing the queries alluded to by the hon. Gentleman, which bore their name, had not been printed by order of the board of supervision, nor under their direction or sanction. So far as he knew, the paper had been printed by desire of certain parishes, the overseers of which thought that some such form was necessary in order to test accurately the claims of paupers to relief. By the statute, parties applying for relief were bound to answer some questions, although in the meantime and pending inquiries they were entitled to relief. If it were refused to them, as the hon. Member for Kilmarnock had been informed, they could obtain redress by going to the local judge, the sheriff of the county. It would be therefore seen that the board of supervision had nothing to do with the matter. But it was important that the parishes should obtain information regarding parties applying: they would otherwise be subjected to great imposition. In the first place, it was necessary they should know that the party applying was entitled to obtain it; which he certainly would not be, if he had property. Again, it was necessary to ascertain whether or not another parish was liable to support the applicant. It was for many reasons important that searching questions should be put to applicants for relief; but if any had to complain of its being refused to them, for not answering those questions, they had their redress immediately, in the manner he had before stated.

METROPOLITAN BUILDINGS BILL.

MR. HAWES, pursuant to the notice he had given on Thursday, begged to ask the right hon. the Secretary of State for the Home Department what course the Government intended to pursue with regard to the Metropolitan Buildings Bill, and when the right hon. Baronet meant to introduce the amended Bill?

SIR J. GRAHAM replied that the Bill of last Session had been submitted to Mr. Hargreave, who recommended that it should be cut up into four parts, which should be brought in as separate Bills. That had accordingly been done, and two of those Bills were in course of preparation, and would be ready for presentation to the House in the early part of next month. The object of the first would be the regulation of buildings. The second related to the official referee and the general machinery for carrying the law into effect. The third related to the property

adjoining buildings about to be erected; and the fourth to nuisances. Of these the two first would be ready next month. The others involved questions of exceeding difficulty, and to the time at which they would be ready for presentation he could not pledge himself. It would perhaps be satisfactory to state that there was a power for the revision of fees under the existing law, and that it was the intention of Government to reduce those fees.

MR. W. SMITH O'BRIEN.

The Order of the Day for taking into consideration the subject matter of the letter of W. Smith O'Brien, Esq., to Mr. Speaker. The entries on the Votes of April 27, April 28, and April 30, (see Debates, *ante* on those days) were read.

MR. O'CONNELL: My intention is to state the facts of the case, and then to submit one or two Motions resulting from what I consider the law as founded upon the facts. I mean to move that the Order of the 27th April be discharged, because it was made under misinformation and misstatement of the hon. Member for the University of Oxford (Mr. Estcourt). Of course, I do not impute designed misstatement to the hon. Member, for he is incapable of stating anything that he does not believe: but he has, in my humble opinion, grossly misinformed the House, and thereby obtained an order which otherwise never would have been agreed to. He is the Chairman of what is called the Committee of Selection, but the legal existence of which I beg leave to deny. He purported to be Chairman, acted as such, and in that capacity, and so terming himself, entered into a correspondence with the hon. Member for Limerick. The hon. Gentleman detailed the circumstances connected with that correspondence to induce the House to order Mr. Smith O'Brien to attend a particular Committee, and he obtained that order. If I am able to show that that order was made under the misapprehension of a principal fact, the House ought to amend its proceedings, and direct the discharge of the hon. Member for Limerick. There cannot be a shadow of doubt that the House, on the allegation of the existence of the Committee of Selection, and of the refusal of Mr. Smith O'Brien to comply with the request of the Chairman, directed him to attend, and on his disobedience committed him; but I deny that there was any such Committee of Selection. I admit that there were materials for it, but the materials do not constitute the Committee without the Order of the House. Let us see what is to form the Committee according to the Standing Orders. The four first contain all that is important for the consideration of this matter. The first requires the appointment of a Committee of forty-two Members; the second enables the forty-two to divide themselves into Sub-Committees, but does not interfere farther: it does not say who shall appoint a Chairman, for that, I believe, is what the Committee itself decides. The next order is that a Committee shall be appointed at the commencement of every Session to be called the Select Committee on the Standing Orders. Then comes the material order—the fourth—that a Committee be appointed at the commencement of every Session, consisting of the Chairman of the different Committees named, of whom three shall form a quorum, to be denominated the Committee of Selection. If such a Committee have been appointed, I give up the case at once. I shall sit down without saying another word. But I assert distinctly that no such Committee has been appointed. No question has ever been brought before the House as to the existence of such a Committee; in short, there is a total vacancy, and want of appointment of any Committee of Selection. This brings the matter to a narrow compass. Was there such a Committee? The letter of the Gentlemen who acts as Clerk of the House seems to me decisive that there has been no such appointment; and searching the Votes I have not been able to trace it. The directions of the Standing Order are mandatory, but they have been utterly disobeyed. It has been suggested, as I hear, that the materials for such a Committee being in existence, it becomes a Committee of itself. I deny it. It would be depriving every Member of the House of the only opportunity he could take of stating his objections to any of the Chairmen. The House, be it remembered, has not the appointment of the Chairmen of the Committees, of whom the Committee of Selection consists; therefore the only opportunity a Member can have of objecting is when the Committee of Selection is appointed. But need I argue the question? The House has peremptorily declared what shall be done. Do I find any practice against the course I maintain to be regular? On the contrary, I find in the Journals this entry, on the 4th of February, 1845:—"The House moved that the Standing

Order No. 4 might be read." Why was not that done in 1846 which was done in 1845? I am not bound to prove that this order was absolutely necessary, in consequence of the ignorance of the House, and that an opportunity for inquiry should be given; it is enough for me that I find this in the Standing Orders. See the situation in which Mr. Smith O'Brien is placed, and by whom. No Committee of Selection was appointed; but a set of Gentlemen, highly respectable, vote themselves to be a Committee of Selection, and apply to Mr. Smith O'Brien, who takes no notice in obedience to their application. They come to the House, and state that they are a Committee of Selection, duly appointed. They misinform the House. Surely I am not to be told that Mr. Smith O'Brien is to suffer from his ignorance of the facts—when ignorance is the only excuse for bringing the matter before the House. He did not perhaps discover the objection to the Committee at the time, but he has discovered it now. I need not enter into an examination of the particular points, for I submit that I have the law expressly with me, and it is in violation of the law that the hon. Member for Limerick has been committed. It would be improper longer to trespass upon the House until I hear something to which I may reply, and I shall therefore move in the first place that the Order of the 27th of April be discharged; and, secondly, that Mr. Smith O'Brien be discharged. If I succeed in the first Motion, the second will follow of course; but if I fail in the first, I shall beg leave still to press the second, that he be discharged under all the circumstances of the case. The Motion formally put was as follows:—

"That the Order made upon the 27th of April last, that William Smith O'Brien, Esq., do attend the said Committee to-morrow be discharged."

MR. ESTCOURT: I believe it is necessary for me, without any apology to the House, to endeavour to show the grounds on which I think that the Committee of Selection was duly appointed, and has discharged its duties as Committee of Selection during the whole of the present Session. I conceive that there has been nothing irregular in the course of proceeding; but that all has been strictly conformable to the law and usage of Parliament. I should take blame to myself if I were to stand up and defend what has been done, merely because it has been done, and because I wish to establish our regularity; but I beg to state, on the contrary, that we pursued the course advisedly, and because we considered it expedient and consistent with the Orders of the House. The hon. and learned Member has truly stated that, by the Standing Orders, certain Committees were appointed to execute certain duties. The first is the Committee of forty-two Members, denominated the Select Committee of Petitions for Private Bills. Another Committee consists of seven Members, and of certain other Gentlemen, which is called the Standing Orders Committee. There is a third Committee, which consists, not of any Members to be chosen by the House, but of Members fixed in their offices by the selection of the Committees. This is called the Committee of Selection. To that Committee the hon. and learned Member takes exception. He contends that, unless there is in every Session an appointment of that Committee, it cannot execute the duties confided to it. Upon that point I am at issue with him. I conceive that the Standing Orders form the law which regulates the House of Commons. It is well known and acknowledged by everybody, that the Standing Orders are not a piece of annual legislation. They are not annually confirmed by the House; but they form a code of laws published by the House, which continue in force to govern the House until they are repealed or altered. It is some years since the Committee of Selection was constituted. In the first instance, it was not constituted, as now, by the Standing Orders of the House; but for five, or six, or seven years, it has been constituted as now. I contend that, when a Standing Order has been made, and appoints a Committee, whether it be one of the Committees of Petitions for Private Bills, the Standing Orders Committee, or the Committee of Selection, that Committee continues until it is dissolved by some alteration of the Standing Order. What are technically called Sessional Orders are of a different character. They do not continue unless they are made Standing Orders; and the House has constantly taken the distinction between Sessional and Standing Orders. A Standing Order, I contend, governs the House as long as it remains a Standing Order. The Committee of Selection was appointed by the Standing Orders: the Committee on Petitions was appointed by the Standing Orders; and the Standing Order Committee was appointed in the same way. I am confirmed in this position by what the

hon. and learned Gentleman has had recourse to. On searching the Journals he has seen that the Committee on Petitions for Private Bills consists of forty-two Members: and when the hon. Member for Derby (Mr. Strutt) comes dowa for the appointment of the Committee, he does not submit a Motion—he does not give notice that he will on a certain day move for its appointment, but he directs that the Standing Order shall be read, and he then nominates the Committee; and that nomination is entered on the Journals and on the Votes. That is his mode of supplying what is left deficient by the Standing Orders. The same thing occurs to myself: when the Standing Orders Committee is appointed, I do not come down and make a Motion—I do not give notice that it will be appointed, but I require that the Standing Order be read, and then I nominate the Committee. Now, as to the Committee of Selection, it is undoubtedly true, that at the commencement of the last Session, there was an entry in the Journals that the Committee of Selection be appointed; but I contend that it was an irregularity; it was done at a time when, as I find from my own memoranda, I was unable from indisposition to attend the House. By whom the irregularity was committed, I know not; but I contend that it is an irregularity. This is my opinion; and on conferring with the highest authority on these points, I am confirmed in it. The Committee was appointed by the Standing Order. In the present Session, I acted upon my view of the subject; and all the Committees were appointed by the Standing Orders; and I had nothing to do but to come down and nominate the Members. The nomination of the Members is not to be by the House. The Committee of Selection consists of the Chairman of the Select Committee on Standing Orders, and the Chairman of the Committees and Sub-Committees on Petitions for Private Bills, three of whom make a quorum. No question is put; and there is nothing more to be said on the subject. The Standing Orders are imperative, not only in the Session in which they are passed, but in every Session until they are repealed. I beg to say, also, that supposing my place as Chairman of the Standing Orders Committee were now vacant, it would not be supplied by any Order of the House, but my Colleagues of the Committee would select some Member from among themselves to be Chairman; and he would not come to the House for the confirmation of his appointment. I therefore conceive it is not to be disputed that the Standing Order appoints the Committee. The hon. and learned Member has arraigned the propriety of our conduct, and says that our impropriety has brought the hon. Member for Limerick into his present situation. I must deny it. It was necessary for me to advert to what passed in 1845; and it was in 1845 that the hon. Member refused to attend the Committee, and wrote his reasons for refusal to me as Chairman of the Committee of Selection. To that letter he recently appealed, and upon the arguments there used he relied. I may be allowed to remind the House that the Committee has been repeatedly recognised in the course of the present Session; on hundreds of occasions references of business have been made to it. I do not apprehend that it is necessary for me to say more. I was prepared to expect that the hon. and learned Member would have made some observations on the letter of the hon. Member for Limerick; for it appears to me that his case should be rested upon anything rather than informality; and whatever may be the opinion of the hon. and learned Member, I can state distinctly that the subject has been well considered—that whatever was done was done advisedly. It was the opinion of my Colleagues, as well as of myself, that it would not merely be a work of supererogation, but of impropriety, to have asked the House to interfere at all in the construction of the Committee of Selection. I trust, therefore, that the House will support its Committee in the view it has taken, and negative the Motion before it.

MR. WARBURTON thought they should argue this question quite irrespective of the consequence it might have on the case of Mr. S. O'Brien. The plain question was this, whether the Committee of Selection had been appointed or not? The hon. Member for Oxford had stated that the House had in various instances recognized the existence of the Committee during the present Session: that was true; but "a blot is not a blot till it is hit." It was not so clear that the House would have been perfectly satisfied with the Committee of Selection if it was believed to sit unsupported by any vote of that House. If the construction which the hon. Member for Oxfordshire contended for was the true one, that no appointment at the commencement of the Session was necessary, then

the language used in the Standing Order would not have been what it was, viz., "that a Committee be appointed at the commencement of every Session;" but the language would have been this, "that the Chairman of the Select Committee of Standing Orders, and the Chairman of the Sub-Committees on Petitions for Private Bills, &c., be a Committee for such and such a purpose." Such would have been the words of the Standing Order, if no appointment by the House was necessary at the commencement of the Session. He would ask the House who had appointed the Committee of Selection? There could be no appointment unless it had been made by some one; but there was, in fact, no appointment. If the Committee, once constituted, was to be continued from Session to Session, the Standing Order would have said so; but it contained no such statement. If it was said that the Committee was to be decided upon in the way set down by the Standing Orders, and that the names were simply to be reported to the House, then, he asked again, who was to do this? It was, to all intents and purposes, an appointment, and must be made by some one. The question came seriously before the House, whether a lawful constitution had been given to this Committee or not; and if it was objected that to overthrow the Committee would nullify the proceedings in which they had been engaged, he would observe that it would be easy, by a retrospective Act, to give authority to all that had been done in reference to railways. He held that it was of the greatest importance, in a case of this kind, in judging of a Standing Order, that they should have no difficulty of interpretation, but should take the plain and obvious meaning of the words. He thought there never had been any appointment made; and, therefore, it would be much better to confess that there had been gross negligence somewhere, or at least ignorance of their duties by some parties or other, and that the House should rectify any mistake or any illegality that had occurred. It was most important that the plain sense of the words should be adhered to in their interpretation of the Standing Orders.

Sir G. GREY could only agree with the hon. Member who had just spoken to this extent, that the words of the three Standing Orders were precisely the same. In each case the words were, "that a Committee be appointed;" but the practice of the House had distinctly recognized the construction of the hon. Member opposite (Mr. Estcourt); and if this objection to the regularity of the appointment of the Committee of Selection were to prevail, the same must apply to the interpretation of the two other Standing Orders. He was quite ready to admit that the words of these Standing Orders were not the happiest that could be devised. In 1845, as appeared from the Votes, with reference to the nomination of Members on Committees on Petitions for Private Bills, the House was moved that Standing Order No. 1 be read, viz., "That a Committee be appointed, to consist of forty-two Members, of whom five should be a quorum," &c., and that Standing Order was read, but the reading of it was not followed up by any Motion. The House was not called on to exercise any discretion in the matter; the only order made by the House being that Mr. Strutt and the other forty-one Members named be the Committee. The same thing had taken place with respect to the Committee to which the hon. and learned Member for Cork had referred, with the exception of the inadvertence which had been taken notice of by the hon. Member (Mr. Estcourt), and which occurred in his absence. The Standing Orders prescribed that the Chairman of the Standing Orders Committee and the Chairmen of the Sub-Committees on Petitions for Private Bills, should constitute the Committee of Selection. The Standing Orders, therefore, nominated as well as appointed that Committee. The House had no discretion in the matter. The question had been urged with reference to the authority exercised by the Standing Orders Committee; but that was not material to the real question; for Mr. Smith O'Brien was not confined for violating any order of any Committee of the House, but simply because he refused to obey an order made by the House, that he should attend a Committee, that Committee being a Railway Committee which had been appointed by the House. If there had been no Committee of Selection in existence, and the House had made an order which an hon. Member refused to obey, he apprehended no one would contend that that was not a contempt; and it was in fact for that offence, and not for disobeying the orders of the Committee of Selection, that the hon. Gentleman had been confined. Whatever the House might decide on the particular question now before them, that would not affect the question

raised by Mr. Smith O'Brien in his letter to the right hon. Gentleman in the chair, because he claimed his immediate discharge from custody.

Mr. STRUTT thought that there was some difficulty in the words of the Standing Order, "be appointed." But, looking to those words, the general sense and intention of the Standing Order, and the invariable practice of the House, he could not think the House would have any difficulty in deciding this question. He could confirm what had fallen from the right hon. Gentleman (Sir G. Grey); the words were precisely the same in the orders relating to each of the three Committees. When he, as Chairman of the Committee on Private Bills, came down in 1845 to put the Motion that the Private Bills Committee be appointed, he was told by the proper authority that the only Motion was that the Standing Order relative to the appointment of that Committee be read. That was done; and, the order having been read, the Committee was considered as appointed, it being his duty to read to the House the names of the Members of the Committee. No other course could be taken, because it was not competent to the Speaker to put a question which the House had not the power to negative. The proper Motion would be that the Standing Order be repealed; and, that being carried, then the House would have had the power to negative the appointment of the Committee on Private Bills. The only way of making sense of the Standing Order in question was to proceed as the House had proceeded in this case. Nor was any alteration in the order required, because the Chairman of the Standing Orders Committee and the Chairmen of the Sub-Committees on Petitions for Private Bills constituted, *ex officio*, the Committee of Selection. This was manifest from what occurred in the present Session, when, owing to pressure of business, the number of Sub-Committees was increased from four to six, on which the two additional Chairmen took their seats on the Committee of Selection at once, in virtue of the Standing Order. The practice of the House had recognized this interpretation of the Standing Order. He did not place so much importance on the use of the words "be appointed" as the hon. Member (Mr. Warburton); for he had had too much experience in the interpretation of the Standing Orders not to know that they were not drawn with the accuracy of an indictment. If they were to be construed with the rigour usually applied to an indictment, it would not be possible to transact the public business of the country. He must oppose the Motion of the hon. and learned Member.

Mr. O'CONNELL would offer only a few words in reply. The order disobeyed was to attend a Committee, which Committee had been constituted by a body which had no right to constitute it. Hon. Members had spoken of the "unfortunate" and "unhappy" words in the Standing Order; but these words were the cause of the confinement of his hon. Friend the Member for Limerick. If such a Standing Order had been drawn up by an Irish Parliament, there would have been no end to the taunts that the Members did not understand the use of the English language. "What a Parliament!" would be the exclamation. "What a Parliament, that does not know that the words 'every Session' does not mean once! What a set of blundering, tipsy fellows!" However, there was an easy method of getting over the difficulty, if hon. Gentlemen were permitted to say that the words meant nothing, and that they were to pass for nothing. He could not be satisfied with this mode of escaping from a violation of the commonest rules of grammar; and Mr. Smith O'Brien was to be detained in custody by virtue of the decision of a tribunal that depended upon a direct contradiction for its justification. According to some, the hon. Member for Oxford was a kind of autocrat, who was to do as he liked, and to say, "You cannot do this, and you cannot do that," and would not allow the exercise of discretion or choice by the House. Supposing Chairmen were appointed who were interested in railways, was it not to be allowed that others should take objection to them? Was not a Member to be allowed to urge the postponement of the nomination, in order that due inquiry might be made before it was completed? He meant to move, whatever became of this Motion, that Mr. Smith O'Brien be unconditionally discharged from custody.

Mr. WAKLEY thought that this was a question which ought not to be decided without a part in the debate being taken by the law officers of the Crown. If the question were not discussed and decided according to the principles of common sense, and the ordinary construction of the words of the Standing Order, great dissatisfaction would be the result in this country, and still greater in Ireland.

Could anything be plainer than the words of the Order? It meant, that at the commencement of every Session a Committee "shall" be appointed. [Several hon. MEMBERS: No, the words are, "be appointed" only.] The hon. Member for Kendal had, as it struck him, given the correct interpretation. The meaning was exceedingly plain to his perception. But what had been the practice in preceding Sessions? Were there precedents for the course they were now taking? Why were they to put the harshest interpretation possible on the law? Was it not better for the House to say at once, "Well, you, Mr. Smith O'Brien, are not very wise; but it will be just as well not to discuss our own wisdom, therefore we release you, and let us shake hands." This was the honest, the manly course. A mistake had been committed, and surely it was most unjust to make another party the victim of the error.

MR. AGLIONBY did not agree with the hon. Gentleman that it was particularly the duty of the law officers of the Crown to take part in the discussion. It was not a mere question of law. In a case of this sort, the law officers were of no higher authority than any of the other Members of the House. The forms of the House were drawn up by the House, and the law Members were not responsible for them. He wished, however, to advert to a point arising upon the interpretation of the words, "be appointed." The observation of the hon. Member for Derby with respect to this part of the subject, had much weight; but as the hon. Member for Kendal interpreted the phrase, the conclusion to be naturally deduced was, that the proceedings of every Committee appointed under the Standing Orders were null and void. If the Committee of Selection had no legitimate authority, every Committee emanating from it was equally deficient. It had nominated Committees on all the groups, and consequently all the Railway Committee proceedings of the Session were irregular. Now, certainly, he might be told that a remedy was at hand—that all this might be set to rights by a rule of the House, by a special Bill. But that did not affect the principle of the argument. If the hon. Member for Kendal was right, all the Committees had acted without having power to act. So far as the verbal argument on the words "be appointed" went, he conceived that the Committee had been legally and constitutionally appointed according to the meaning of the Standing Orders—a meaning which did not make it necessary that every Session the Committee should be formally appointed by the House. It was not to be appointed annually by the House, but was appointed virtually and continuously by something which had taken place antecedently.

The ATTORNEY GENERAL only wished to make one remark upon the speech of the hon. Member for Finsbury. He would have risen to express his opinions had it not been for the speech of the right hon. Member for Devonport (Sir G. Grey), and that of the hon. Member for Derby (Mr. Strutt). But they had exhausted the subject; they had taken a view of it in which he completely completely concurred. They had used every argument which he could urge, and he should have thought it an unpardonable waste of the time of the House had he risen, again to go over the ground they had preceded him in, and most probably to weaken the impression which they had made.

VISCOUNT POLLINGTON thought, that as even the right hon. Member for Devonport admitted that the matter involved considerable doubt, the benefit of that doubt ought to be given to Mr. Smith O'Brien. He could not approve of an hon. Member being imprisoned under such circumstances.

MR. M. J. O'CONNELL observed, that the matter should be viewed as a technical question, and looking at it in that light, he was far from satisfied, that their proceedings were right, or that the Committee of which he was a Member was legally and constitutionally constituted. He did not see how the objections of the hon. Member for Kendal had been answered as to the form of the Order. He would go further and say, that in his mind that Order, as at present worded, was perfectly illusory. At all events, let the most liberal construction be placed upon it.

SIR R. PEEL: I think that the noble Lord (Viscount Pollington) has mistaken the purport of the observations of the right hon. Baronet the Member for Devonport. I do not think that that right hon. Baronet stated that the point involved considerable doubt. On the contrary, I think that what he said was, that as to the merits of the case, there existed no doubt, although he admitted that better terms than the words "be appointed" might have been advantageously used in the Standing Orders. Now, the real difficulty is as to these words, "be

appointed." In ordinary Parliamentary parlance, the words "be appointed" mean of course the commission of an act by which we "appoint" a Committee. But here their meaning—their virtual signification is, that a Committee be constituted, that it exist. The House of Commons, for the purpose of ensuring regularity in its proceedings, voluntarily consents to an abdication of part of its power, and places matters dependant upon the Standing Orders out of its discretion. For instance, a Standing Order requires that no petition for a grant of public money shall be entertained unless there shall have been previously obtained the consent of the Crown. That is an instance in which the House of Commons, depriving itself of power, refers it to the code of Standing Orders, and defers to their authority so long as they exist. Now, let us take a case which appears to bear a close analogy to the present one. It is that of an ancient Standing Order, providing that "every Private Bill, not a Divorce Bill, after having been read a second time and committed, shall be referred to the Committee of Selection." Now, here is a distinct act to be done. How then is it to be done? Here is an active part to be taken. How do we proceed? By question in the House? I apprehend not. The House never puts the question that the Bill be referred to the Select Committee. You, Sir, as a matter of course, refer the Bill to that Committee, without the sense of the House having been taken on the subject. Hon. Gentlemen may therefore demand by whom a Bill has been thus referred, just as they do now by whom the Committee was appointed. Sir, it was appointed by the authority of the Standing Orders Committee; and I apprehend that the House could not refuse yielding to it without violating every precedent on which it has hitherto acted. The words of the Standing Orders mean that the Committee "be" constituted. They do not mean that we should go through the technical form we generally proceed with in appointing a Committee. The hon. Member for Finsbury says, "let us take advantage of the mistake or misapprehension to release Mr. O'Brien." Now, if you think the punishment he has undergone sufficient, then release him, stating at the same time that you think the authority of the House has been sufficiently vindicated, and that the time is come when it can afford to discontinue the punishment it has seen fit to inflict. But to shrink from doing your duty—to be afraid of performing it—to say, "Here is a doubt," and under its cover to sneak out of a difficulty and shake hands with Mr. O'Brien—why, Sir, I think were that course to be taken, that he would not accept the favour; that he would say, "You do not believe that there has been a mistake, but you imagine one in order to find an excuse for releasing me." That, Sir, would be, in my opinion, the very worst course which the House could adopt.

Mr. O'CONNELL: I shall give the House an opportunity of acting on the previous suggestion of the right hon. Baronet.

Mr. J. O'CONNELL thought, that the argument of the right hon. Baronet would go to establish the Standing Orders Committee as a more powerful tribunal than had ever before been imagined. He thought that this debate would excite an unfortunate impression in Ireland. He was not going to use words of idle bluster, but he submitted that it might be well to consider feelings — he did not say rightly — but which were certainly exceedingly excited and exasperated. The matter was one of grave doubt, and the hon. Member concerned ought to be allowed the benefit of it.

Sir R. H. INGLIS stated that he quite agreed with the views of the right hon. Baronet, and with those of the hon. Member for Derby. The hon. Gentleman who had spoken last talked of a doubt being entertained on the subject; but the fact was, that with two or three exceptions, every hon. Member who had spoken had agreed upon the point. As to the legal Members, the hon. Member for Cork stood alone in his view of the subject. No doubt the construction of the Standing Order was capable of improvement; but was there any hon. Gentleman who would maintain that its common sense interpretation, as demonstrated by the practice of the House, was such as to justify the sense in which it was attempted to be construed by the hon. Member for Cork.

Mr. WATSON observed, that it might be true that the practice had gradually grown up without observation; but in proceeding criminally in the matter, it behoved them to look carefully into the wording of the Standing Order; and for his own part he entertained some doubts as to whether in this case the true construction had been put upon it. He found that it laid down as the rule that a Committee "be appointed" each Session—meaning, as he took it, an

appointment by some person at the beginning of the Session, either by the House, by the Speaker, or by some competent power. This was the light in which he viewed the question. He could assure the right hon. Baronet opposite that he was never inclined to sneak from the performance of a duty, but he repeated that, in proceeding criminally, they could not proceed too carefully.

The House divided:—Ayes 36; Noes 180: Majority 140.

List of the AYES.

Archbold, R.
Attwood, M.
Barron, Sir H. W.
Bridgeman, H.
Browne, R. D.
Carew, hon. R. S.
Collett, J.
Crawford, W. S.
Dawson, hon. T. V.
Escott, B.
Esmonde, Sir T.
Evans, Sir De Lacy
Fielden, J.
Ferrand, W. B.
Fleetwood, Sir P. H.
Hindley, C.
James, Sir W. C.
Johnson, Gen.
M'Carthy, A.
M'Donnell, J. M.
Milnes, R. M.
Muntz, G. F.
Norreys, Sir D. J.
O'Connell, D.
O'Connell, J.
O'Conor Don
Paget, Col.
Pollington, Visct.
Powell, C.
Sheil, rt. hon. R. L.
Somers, J. P.
Somerville, Sir W. M.
Strickland, Sir G.
Wakley, T.
Warburton, H.
Watson, W.

TELLERS.
French, F.
O'Connell, M. J.

List of the NOES.

Ackers, J.
Acland, Sir T. D.
Adare, Visct.
Adderley, C. B.
Aglionby, H. A.
Ainsworth, P.
Alexander, N.
Anson, hon. Col.
Arundel and Surrey, Earl of
Austen, Col.
Baillie, Col.
Baine, W.
Bankes, G.
Baring, H. B.
Baring, rt. hon. F. T.
Barnard, E. G.
Barrington, Visct.
Benbow, J.
Berkeley, hon. C.
Bernal, R.
Bernard, Visct.
Boldero, H. G.
Borthwick, P.
Bowles, Adm.
Bowring, Dr.
Bramston, T. W.
Broadwood, H.
Bruce, Lord E.
Buller, C.
Burroughes, H N.
Busfeild, W.
Cardwell, E.
Carew, W. H. P.
Chichester, Lord J. L.
Clayton, R. R.
Clerk, rt. hon. Sir G.
Cockburn, rt. hn. Sir G.
Colebrooke, Sir T. E.
Collett, W. R.
Conolly, Col.
Corry, rt. hon. H.
Courtenay, Lord
Craig, W. G.
Cripps, W.
Dalmeny, Lord
Dalrymple, Capt.
Davies, D. A. S.
Deedes, W.
Denison, E. B.
Dickinson, F. H.
Divett, E.
Douglas, Sir C. E.
Drummond, H. H.
Duckworth, Sir J. T. B.
Duncan, G.
Duncombe, T.
Dundas, F.
Dundas, D.
Dundas, hon. J. C.
East, J. B.
Easthope, Sir J.
Ebrington, Visct.
Entwisle, W.
Evans, W.
Fellowes, E.
Fitzroy, Lord C.
Forman, T. S.
Forster, M.
Frewen, C. H.
Fuller, A. E.
Gaskell, J. M.
Gill, T.
Glynne, Sir S. R.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Granger, T. C.
Greene, T.
Gregory, W. H.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grosvenor, Lord R.
Hallyburton, Lord J. F. G.
Hamilton, W.
Hamilton, Lord C.
Hanmer, Sir J.
Harcourt, G. G.
Hawes, B.
Hay, Sir A. L.
Hayes, Sir E.
Heathcoat, J.
Henley, J. W.
Herbert, rt. hon. S.
Hill, Lord M.
Hodgson, R.
Holmes, hon. W. A'C.
Hope, Sir J.
Horsman, E.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hume, J.
Inglis, Sir R. H.
James, W.
Jermyn, Earl
Jocelyn, Visct.
Jones, Capt.
Kelly, Sir F.
Ker, D. S.
Lambton, H.
Langston, J. H.
Lemon, Sir C.
Lindsay, hon. Capt.
Loch, J.
Lockhart, A. E.
Lygon, hon. Gen.
Macaulay, rt. hon. T. B.
Mackinnon, W. A.
M'Neill, D.
Mainwaring, T.
Marshall, W.
Marsland, H.
Martin, J.
Masterman, J.
Maule, rt. hon. F.
Meynell, Capt.
Morpeth, Visct.
Morris, D.
Newport, Visct.
Northland, Visct.
Ogle, S. C. H.
Ord, W.
Owen, Sir J.
Pakington, J. S.
Palmerston, Visct.
Peel, rt. hon. Sir R.
Peel, J.
Pennant, hon. Col.
Plumridge, Capt.
Polhill, F.
Price, Sir R.
Protheroe, E.
Rashleigh, W.
Reid, Sir J. R.
Reid, Col.
Richards, R.
Round, J.
Russell, Lord J.
Russell, J. D. W.
Sandon, Visct.
Scott, R.
Seymour, Lord
Shaw, rt. hon. F.
Sheppard, T.
Shirley, E. J.
Smith, rt. hon. R. V.
Smollett, A.
Somerset, Lord G.
Sotheron, T. H. S.
Spooner, R.
Stansfield, W. R. C.
Stanton, W. H.
Staunton, Sir G. T.
Sutton, hon. H. M.
Thesiger, Sir F.
Thornely, T.
Thornhill, G.
Tower, C.
Towneley, J.
Trevor, hon. G. R.
Troubridge, Sir E. T.
Verner, Col.
Vyse, R. H. R. H.
Waddington, H. S.
Ward, H. G.
Wawn, J. T.
Wellesley, Lord C.
Wodehouse, E.
Wood, C.
Wortley, hon. J. S.
Wynn, rt. hn. C. W. W.
Yorke, H. R.
Young, J.

TELLERS.
Estcourt, T. G. B.
Strutt, E.

FACTORIES BILL.

The Adjourned Debate on the Second Reading of the Factories Bill being resumed,

MR. BANKES said, that in giving his support to the principle of this Bill, which was now under the consideration of the House, and in opposition to the Amendment, he thought it was incumbent upon him to prove, that while it proposed to confer benefit on the operative classes, it would

not produce on those classes any injury to counterbalance that benefit. He also thought it was incumbent on him to prove, as he thought he should, that the principle of the Bill would not occasion any injury to the employers of those operatives. He admitted it was but just that he should prove these points before he proceeded to enlist the feelings of the House on the side he advocated, and to show them that they might indulge their sympathies with safety, for he was convinced that the community would receive a benefit, and the operatives and employers would receive no harm. With regard to the first point, he would not only prove that no injury would arise, but he would prove this, that it would be unwise and unsafe to reject this measure. When he used these terms, he was far from referring to physical force. The danger to which he referred was the danger of destroying the physical energies and moral character of those respecting whom they were about to legislate. It was understood that with reference to the operatives now employed in these manufactories, from the improvement in machinery, and from other causes, the proportion of those who were young had from time to time greatly increased in comparison with the increase of adult labourers. But he would not say, that because they were the majority in point of numbers, for that reason alone the House was to pass an Act of legislation which would have reference to those labourers, because he admitted that those young persons were growing up, and would become adult labourers in their turn; and if he did admit that the adult labourer would be injured by the protection to the younger, he thought that point should be taken into consideration. Of the proportion of young persons compared with the adult, he maintained that it was still increasing, and when they grew up there would not be sufficient room to absorb that number, and consequently of those who had been young operatives in factories, when they came to an older age, numbers of them who wished to seek an honest livelihood must find some other employment. Let the House then have this in view, that when that time arrived, and being no longer fit for that employment, let them secure that the surplus of that population should be fit for some other employment as honest and industrious members of the community. The Legislature had provided so far as related to the education of the young classes of operatives under thirteen years of age; but he asked whether that House was of opinion that education should cease at that age? Was not that the age when there were springing up the seeds of an opposite nature, which unhappily, they were taught by religious knowledge, were instilled in the nature of all. And did they not know that the proper cultivation of the mind consisted as much in that which was to be eradicated, as in that which was to be taught. In his opinion, the age between thirteen and eighteen years was the most important. It was, therefore, not only safe and wholesome to pass this Bill, but it was dangerous to withhold it. How could it be supposed, that at this early age when they were constantly and laboriously at work, they were to find any time for receiving, or if they could receive, of listening to instruction. He did venture to urge upon the House that upon this ground they ought to pass the measure; and though it might be true that the operatives asked but for a little time for the improvement of their minds, yet let the House not on that account reject the measure, but trust that under the blessing of Divine Providence something beneficial might be effected during the time he had mentioned. With regard to the second point, he was aware that he laboured under a great disadvantage, as representing a part of England where they had no manufactories that could be named in comparison with those of the great manufacturing districts. He would, however, avail himself of such evidence as he had been able to collect; but, as far as his judgment went, he had no doubt as to the decision of the House on this subject. The hon. Gentleman then referred to the speech made by the late Sir R. Peel in 1815, when introducing the first measure upon this subject. That hon. Baronet had recommended that children should be only employed for twelve hours a day, which, allowing for meals, would be reducing their working time to ten hours. The hon. Gentleman read a letter from Lord Kenyon, stating that the late Sir Robert Peel, when he first brought in his Bill for the regulation of factory labour, intended to restrict the period of work to ten hours; that he afterwards extended it to eleven; that in that shape the Bill went to the House of Lords, where, in consequence of the opposition given to the Bill by Lord Lauderdale and others, Lord Kenyon, who had charge of it, was induced to make it twelve hours; and that Sir Robert Peel

remonstrated with him for the alteration when the Bill was at the foot of the Throne. But it might be said that that excellent person, the late Sir Robert Peel, did not take up these views till late in life, when he had withdrawn from manufactures—when their interests had become indifferent to him. [Sir R. PEEL: The late Sir R. Peel held the same views in 1802, before he withdrew from manufactures.] That made his testimony still more important as bearing upon this question. And he would now call another witness, who was still actually engaged in the factories to a very great extent, who had himself made his fortune, yet still the interests of his children and his relatives were all involved in the same pursuit—he meant the hon. Member for Oldham (Mr. J. Fielden). He, in speaking of that measure said—

"If in voting for this Bill, I vote for the destruction of manufactures, then I shall be voting for the ruin of myself and family."

That Gentleman employed between 2,000 and 3,000 persons in his establishment; he interested himself in their welfare, and they were all proud of his kindness and patronage. The hon. Gentleman farther stated, that from 1819 to 1846, so far from manufactures being checked by the legislative interferences that had taken place since that time, the amount of raw cotton which had been used in manufactures had increased five-fold; and, as he had been told, no depression of wages could be traced to any of the restrictions. He might also refer to the hon. Member for Salford as concurring with the hon. Member for Oldham; and still further, he could quote the opinions of the operatives themselves, a deputation of whom had waited upon him, intelligently answered all his inquiries, and anticipated many of the objections which had risen in his mind. They modestly preferred their request that he would support their cause; there was certainly no symptom of intimidation on their part. It had been said—and said most unfortunately, he thought, for the argument—that there had been no strikes upon this question. If there had been, he, for one, would have doubted the justice of their claims. It was because there were no strikes—because the operatives trusted to the effect of a just and reasonable cause—because they were content to incur delay, which they might have avoided, if they had been more urgent—it was for that reason that he was so urgent in their cause. After all he was satisfied that the question must be decided on a balance of evidence. He was aware that important evidence was yet to be given on the other side—he was aware that the hon. Members for Stockport and for Durham would probably take the opposite side of the question; and he knew the high character and standing of those hon. Members as representatives of the manufacturers. Then the hon. Member for Montrose had already spoken against the measure, and he was by no means disposed to underrate the importance of his evidence; but when the hon. Member told them to stop where they now were, he remembered that the hon. Member would have stopped them before from coming to where they now were, if the House had listened to him. Then the right hon. Member for Taunton argued that because they could not interfere with other trades, such as fustian-cutters or pin-makers, therefore they ought not to interfere with cotton factories. Now, in the first place, it was no reason, because they could not do all they wished, that therefore they should not do what they could; but besides that, he remembered that when the late Sir R. Peel's Bill was brought into the House of Lords, the late Lord Eldon argued against it on the ground that they ought not to interfere with the cotton factories while the children were allowed to engage in draining, sweeping, and in the labour of the mines. But since that time the employment of children in both those ways had been interfered with; and he trusted that in the progress of legislation, they might reach the fustian-cutters and the pin-makers also. He might mention that he had questioned the deputation of workmen who waited upon him as to the probable operation of this measure on their wages; and they answered him that they did not believe its operation would be to reduce wages, but that even if it should, the reduction would be more nominal than real, as they would gain more by their wives and children attending at home to attend to their household concerns, than they could possibly lose by any reduction of wages that they might suffer. If, then, he had succeeded in establishing these two points, that considerable public benefit would arise to the community at large from this measure, and next that there would be no countervailing disadvantage to any class, he thought he might proceed to the third point, on which they were all agreed, that if the measure were practicable, it would be highly desirable to act upon those sympathies which were common

to them all, and to give that indulgence which the workman sought. The operatives had stated to him that no one would have any idea of the comfort and happiness which the granting of this measure would impart to them, not only in the hours they gained, but throughout the whole hours of work, in the knowledge that when their labour was over, they could retire to their homes and have some period of social intercourse with their families between the hours of labour and repose. He had heard with the greatest satisfaction from the speech of the hon. Member for Clitheroe, on a former occasion, of the great demand for Bibles that had sprung up in those manufacturing districts; and what he wished was, that now they had obtained Bibles, they should have time to read them. Hon. Members talked of giving the labourers cheap and abundant bread. He would not then discuss that point; but he would remind them of an anecdote of the late Lord Erskine when in the very height of his prosperity, and when the hours were too short for him to consult his numerous briefs. He was met in the street by a gentleman who had known him in his times of greatest depression—and from him he (Mr. Bankes) had the anecdote—and he congratulated him then upon the change which had taken place in his condition. "Yes," Lord Erskine replied, "there is a great difference, and the difference is this, that then I had not bread to eat, and now (with a sigh) I have got bread, but I cannot get time to eat it." Admitting the operatives were in receipt of food and wages, yet, by all means, if possible, allow them time to learn. If it was true, the working classes had been silent, they would still be so even were the present measure rejected. But how much better would it be if this silence were broken on the part of the House, by telling of the passing of this Bill. Rejoicing would then rise from the mouths of thousands.

Mr. WARD said, he had listened with great attention to the very temperate speech by the hon. Member for Dorsetshire, in the hope of finding in it reasons for reconsidering those opinions upon the question then before the House, which placed him in opposition to the views of the working classes of the town which he had the honour of representing. He gave his opponents the full benefit of that admission. To the best of his abilities and understanding, he represented in that House the true interests of the working men of Sheffield; but it would be doing them an injustice to say, that upon this particular question, he represented their feelings or wishes. He regretted this. But he was not a mere delegate. He felt that he was bound to exercise his own judgment upon every question that came before him. He was not yet a convert to the new Conservative doctrine launched by the noble Lord the Member for Newark, that a question was to be regarded as "settled" in Parliament, because it was "settled" out of doors by the parties who thought their interests were affected by it. In that doctrine, the noble Member for Finsbury (Mr. Wakley) seemed to acquiesce, for he told the House, on Wednesday, that he supported a Bill, every part of which he disapproved of, because he was requested to do so by the working classes.

Mr. WAKLEY: I beg your pardon, I made no assertion of the kind, and received no application from my constituents.

Mr. WARD had no wish to misrepresent the hon. Member; but he understood him to say "that he disapproved of the principle of the Bill of his hon. Colleague, because it interfered with adult labour, and thought that the clauses seemed to have been framed for the special purpose of defeating their own object; but that he should support it, because the working classes required it, and they were the best judges of their own interests." To this doctrine he could not assent. He held that they had higher interests to look to, and higher duties to perform, and he did perform them to the best of his ability, He did not know what was meant by a settlement out of doors. What was the test of settlement? The noble Lord (Lord John Manners) had had the goodness to furnish them with one test, nine days ago, for he said that every question must he considered as "settled," upon which he (Lord John Manners) happened to agree with Lord Grey, Mr. Carlyle, and Mr. Feargus O'Conor. He had the greatest respect for the Members of this quadruple alliance; but they must learn to agree amongst themselves before they could expect to impose their opinions upon other people. He feared the noble Lord had made the common mistake described in an old quotation, and that he could sometimes

> "Compound for sins he was inclined to,
> By damning those he had no mind to."

With all the noble Lord's regard for his allies, he could recollect two or three times quoting Mr. Carlyle in the House, when

he did not find the noble Lord at all agreeing in that writer's opinions on the Corn Laws. Yet if there was one question on which Mr. Carlyle had written with more force and power than another, it was the question of the Corn Laws, on which he entirely differed from the noble Lord. In the very work from which the noble Lord quoted, Mr. Carlyle said, "If I were the Conservative party of England, and that is a bold figure of speech, I would not for 100,000*l.* an hour allow those Corn Laws to continue; Potosi and Golconda put together should not bribe me to it." And then in his poetical prose, he spoke of them as "the dead bough, which must be cut away for the sake of the tree itself; many a weary winter has it swung and creaked there, and gnawed and fretted with its dead wood the living fibre of the good tree. Let the Conservatism that would preserve cut it away." The noble Lord was treading on dangerous ground when he quoted Carlyle; if he did so, he should be prepared to follow his advice on other points, as well as upon that of Government interference. But to come to the speech of the hon. Member for Dorsetshire (Mr. Bankes); he assured the hon. Gentleman that his mind on this question was not only open to conviction, but most anxious to be convinced. But what grounds had the hon. Member adduced to warrant him or any man in changing his opinion? The hon. Gentleman had quoted two witnesses, the first a most respectable one—the late Sir R. Peel. But everything suggested by Sir R. Peel, and more, had been done already. He said, in 1815, "what he was disposed to recommend was, a regulation that no children be so employed under the age of 10 years, either as apprentices or otherwise; and the duration of their labour should be limited to twelve and a half hours per diem, including the time for education and meals, which would leave ten hours for laborious employment." Now, they had extended the limit of age to 13 years, and limited the hours of labour for children below 13 to 6 and a half hours a day. The provisions for the education of the children were better now than Sir R. Peel ever suggested. He must also remind the House of the different circumstances of the country when Sir R. Peel spoke on the subject. Then, England was in possession of the markets of the world; every branch of labour had infinitely higher wages than at the present time, and there was room to deal with the subject in a liberal and kindly spirit. Yet all that was then suggested by a liberal and kindly man they had already gone beyond. The hon. Gentleman's second witness was the hon. Member for Oldham. He was willing to deal with that hon. Member's facts, but he could not admit him as a witness in his own case. No one was more ready to do the fullest justice to the operatives than himself; he represented a town, a great part of the population of which gained their livelihood by the daily exercise of their skill and labour. He admired their intelligence. He had gained much by communication with them; he had learned more from them than from all the discussions in that House; and he did not wonder at the impression made by their delegates upon the hon. Member for Dorsetshire. The hon. Member had, doubtless, been brought into contact with men fully convinced of the truth and soundness of their own views; but if this Bill were passed on the faith of their representations, and it should prove detrimental to their interests, the working men would themselves turn round, and accuse them of shortsightedness and weakness in consenting to it. The hon. Member laid down it as a principle, that if they could not legislate for all, they should legislate for all they could. But the question was, could they do it in the present instance? The hon. Member had put the question fairly and practically. He said, "if" it could be done without reducing wages, and without detriment to employers, and to the commercial interests of the country, by all means do it. But the hon. Member must remember "there is much virtue in your 'if;' your 'if' is a great peacemaker." If it was possible to leave out of consideration one tithe of what was assumed as certain, there could be no doubt as to the advantages of the measure. There could be no doubt that ten hours' labour, with equal wages, would be better than twelve, and that eight hours at the same wages would be better than ten. If all that was stated in the pamphlet published by the hon. Member for Oldham ten years ago—a pamphlet he had read more than once without comprehending it—he could understand it no more than Sanscrit—if all that could be proved and demonstrated, there was not the slightest doubt about the matter. But he denied the postulate. He denied the "if." And when the hon. Member (Mr. Bankes) talked of the danger of a whole generation growing up in the manufacturing districts without education, at what age, he would

ask, did the education of children begin in the agricultural districts? What classes were in a more degraded condition than the Dorsetshire labourers? If wages were a mere matter of moral feeling, and not regulated by the natural laws of supply and demand, how came it that they, of all labourers on the face of the earth, were the worst off? [Mr. BANKES: Oh, oh!] It appeared to him an extremely fair question. He was confirmed in his statement by the report of Mr. Austin on the condition of the agricultural labourers in Dorsetshire and in Wilts. There were passages in it which would strike the hon. Gentleman with horror if he had found them applied to the manufacturing districts; but he would not quote, as everybody must have read them. It was a *vexata questio;* but there was plenty of room for improvement without going to Lancashire. They were now dealing with a class infinitely superior to the Dorsetshire labourers in remuneration and comforts; and the great inducement to the frequent experiments which they were making upon them was that they were congregated in masses. If moral considerations alone influenced them, there were other branches of labour to which they might turn their eyes, and which were far more in need of their interference than that particular branch more immediately under consideration. But there were no obstacles—no invasion of domestic rights in this case; and there was a cheap and easy popularity to be earned by making a philanthropic speech without looking to consequences. This was one cause of what he must call their "amateur legislation." He did not quarrel with much that had been done already. There were abuses in the infancy of every great and complicated system; and the employment, as the majority of the labourers, of children of a tender age, made the factory system peculiarly liable to them. The State was called upon to protect those who could not protect themselves; and the provision which was made for education in regard to young persons engaged in factories was a most judicious interference, and would undoubtedly be productive of great good. But then the question was, were they to go beyond that, and, as they now sought to do, come in contact with adult labour? He was thoroughly convinced, that the effect of any interference with adult labour would be mischievous; he cared little whether the adult were male or female. Unless they could show that the woman was exempt from the ordinary law, from the necessity of labouring to live, they could adduce no right whatever to shut up the existing channels of employment. Would to God it were otherwise! He regretted the necessity. There was nothing in this world so helpless as a young woman dependent upon her own unceasing exertions, and in these exertions, unprotected, for a livelihood; or a widow, left with a family of young children; and he objected to the present Bill, because its inevitable tendency must be to close up and deprive them of the employment now open to them. The object of the hon. Member for Oldham, as he himself stated, was to reach male adult labour through female and infant labour; but he (Mr. Ward) doubted if, by this Bill, he would attain that object. He very much apprehended that the men not included specifically in the Bill would work twelve hours with double relays of assistants; and that, consequently, the hours of labour for young persons and for women would be reduced to six instead of ten hours. And what would follow? Why, females would be driven out of factory labour altogether, and into what he might call the common sewer of female industry—into slop labour—to needlework—changing the easy task of watching self-acting machinery twelve hours per day, for the hopeless drudgery of sixteen or eighteen hours' toil, which was the fate of milliners in the metropolis and other great towns. The alternative was a melancholy one; but unless they could remove the distress from which the necessity for this excess of labour arose, they had no business to touch that branch of labour which, in every country but in England, was considered the most desirable employment for women. Look at the United States. The factory girls of Lowell knew nothing of a Ten Hours' Bill; yet factory labour was the favourite resource of the daughters of the middle classes. And on what grounds were they to interfere here? He supposed he should be told on the patriarchal principle. Would the noble Lord the Member for Newark (Lord John Manners) have the goodness to define that much talked of, and little understood, principle of legislation—the patriarchal principle? He (Mr. Ward) had gone a good way back in English history, but he found no record of the golden age. He had looked to the Statute of Labour, in 1349, and to other similar statutes a hundred years later,

which empowered magistrates to fix wages at Michaelmas and Easter—regulated the diet and the dress of working men — and directed clothiers to make a certain kind of coarse cloth, for their wear, and shopkeepers to keep a supply of it on sale, in every village. But these were hardly the times that the noble Lord would recommend as a model; for in every one of these statutes, so inadequate were the wages allowed, that work was enforced by fines, imprisonments, and whippings. Yet there was sense in these laws of the Plantagenets and Tudors, when compared to the Bill of the hon. Member for Oldham. If they fixed the hours of work, they fixed also the maintenance of the labourer; while the hon. Member for Oldham proposed to limit the hours of labour, but made no provision for its remuneration. He did not see his noble Friend the Member for the city of London in the House; but would his right hon. Friend (Mr. Macaulay), who differed from him on this subject, and under whose withering eloquence he would, there was little doubt, be very speedily extinguished, explain how the noble Lord (Lord J. Russell) who had the other day admitted, that if they interfered with adult labour, they must also interfere with its remuneration, could vote for the second reading of this Bill? If they limited the hours of labour, he said they must make some provision for its remuneration. If they fixed a maximum of work, they must determine upon the minimum of wages. His right hon. Friend the Member for Devonport, (Sir G. Grey), admitted in the same debate, that they had done this already. He said, "Parliament had assumed the awful responsibility of fixing the maximum of factory labour." Why did he not follow this up by saying, that, as a necessary consequence, a minimum of wages must follow? Because the right hon. Gentleman knew very well that there was but one precedent for what he proposed, and did not like to allude to it—a precedent of a very awkward period in 1793. The only minimum and maximum ever tried in the world, was by Robespierre and the French Convention, which had means of enforcing it not possessed by the British Parliament. What was the result of that experiment? He was looking the other day at a book written by a gentleman to whose opinions the noble Lord (the Member for Newark) used to attach considerable importance; he meant the "Historic Fancies" of the hon. Under-Secretary for Foreign Affairs. He there found the following picture of the effects of this very regulation:—

"He (Robespierre) destroyed all competition, by fixing a maximum of price; and, by a series of harassing interferences and restrictions, which it has never been pretended that he believed otherwise than necessary for the public good, he reduced the industrious classes to a state of poverty, helplessness, and starvation. His measures were popular, because they had the show of an immediate benefit, and of a kindly care for the poor. He prevented 'overwork.' The Government was omnipresent—noting a citizen's means—giving or taking away—providing for his necessities, instruction, maintenance, amusement — wrapping the full grown man in the swaddling-clothes of the infant—making a sort of 'happy family' of 30,000,000 of people."

Yet the result was poverty, helplessness, and starvation. The object of the present Bill was much the same. Its effects, at all events, would be similar. It was a step towards "the patriarchal principle;" but the House, before it assented to it, was bound to see what were the grounds alleged for it by its friends, and how far they agreed in their views as to its operation. Gentlemen, who recommended so vast a change, ought to be unanimous as to the effects of their advice, if taken; but he found no two of them agree in opinion. He had taken the trouble to analyse their speeches, and he would give the result in the shortest compass. The hon. Member for Oldham said, "that he was for a Ten Hours' Bill, and no compromise."

MR. FIELDEN: I said nothing about a compromise.

MR. WARD: No; the hon. Member will probably take eleven hours, if he cannot get ten; but he says he prefers ten, and is no doubt sincere in his recommendation. He then told us what he expected to be the result of the change. He said, "there would be no diminution of profits —no diminution of wages—no diminution of production. That was the result of his experience."

MR. FIELDEN: Yes.

MR. WARD: But in the next breath he added, that there would be a rise in prices, though not a considerable one. "The additional cost to the consumer, he said, would not be great: 1*d.* upon a poor man's shirt, or $\frac{1}{2}d.$ upon a woman's gown." He would come back to the question of cheapness presently, as connected with extended sale; but would the hon. Member first tell him why there was to be a rise of price at all, when all the elements of which price is composed continued unaltered?

Wages were to be the same—profits the same—production the same — yet prices were to rise! Why? The hon. Member ought, at least, to be in harmony with himself, since he could not agree with his other supporters, whose speeches, taken in conjunction with his own, made up a tissue of the most extraordinary contradicions. For the hon. Member for Bolton (Mr. Ainsworth), who seconded the Motion, said "he was for an Eleven Hours' Bill, not a Ten Hours'," and that the operatives were prepared to accept it. He admitted the certainty of a loss, which the hon. Member for Oldham denied; but he added that "if the hours of labour were reduced, the working clssses would consent to reduce the price of labour also." His hon. Friend the Member for Hertford (Mr. Cooper) maintained, on the other hand, that there would be a reduction in the daily, but not in the aggregate produce. He thought with Mr. Fielden, that wages would not fall, but said "that the operatives were willing to chance it." Now he (Mr. Ward) recollected perfectly that, in their previous discussions upon this subject, his hon. Friend the Member for Finsbury (Mr. Duncombe), who was a pretty good criterion of the feelings of the working classes, had invariably maintained that "they were not willing to chance it, and that not a man amongst them would take the present Bill, unless he thought that he was to receive the same wages for ten hours, that he did now for twelve hours' labour;" and this completely tallied with his (Mr. Ward's) own experience. Next came his right hon. Friend the Member for Devonport (Sir G. Grey); and never had he seen a man of mind so singularly acute, so lamentably perplexed, and bewildered. No two sentences of his speech agreed with each other. From first to last, he halted between two opinions,

"Letting I dare not wait upon I would;"

and weighing the moral considerations against the commercial considerations, until a feather would turn the scale between them. He was for the principle of the Bill, but not for the details. Why, in this case, the details were the principle. It was impossible to separate them, and both were equally objectionable. But on one point, his right hon. Friend was quite decided. He said, "that he would not be a party to any delusion. That the natural tendency of this Bill was to reduce wages, and that he believed that this would be its inevitable operation." What, then, would be the extent of the reduction? The hon. Member for Newcastle-under-Lyne (Mr. Colquhoun), had favoured them with a very nice calculation. He said that wages would be reduced by it from an average of 31*l.* to 28*l.* 16*s.* But the extract from the report of Mr. Horner, a high authority upon this matter, quoted by his right hon. Friend the Member for Taunton (Mr. Labouchere), in that admirable speech which, in conjunction with the speech of the right hon. Baronet opposite, the Secretary for the Home Department, had completely exhausted the commercial part of the question—gave a very different view of the reduction. Mr. Horner said, that if the hours of labour were reduced to eleven, the difference in production would be 13 per cent—if to ten, 25 per cent; and he gave it as his deliberate opinion, "that the whole of the loss must fall ultimately upon the operatives." This was the *primâ facie* case for the Bill on the part of its principal Parliamentary supporters. But what said the operatives themselves? The last petition presented by the hon. Member from Oldham from his own constituents, was not for an Eleven Hours' Bill, but for a Bill restricting the labour in factories "to ten hours a day, for five days in the week, and to eight hours on Saturday, by limiting the moving power." This was the general feeling of the supporters of the Bill out of doors. If, on the other hand, he looked to the opinions of the manufacturers, he found them perfectly unanimous as to its probable effects. The petition from Leeds said, "that there was no instance in which the working classes had been for a reduction of hours, if accompanied by a proportionate reduction in wages." The petition from Glasgow said, that it would be impossible for them to meet foreign competition, if forced by law to work only ten hours, while their rivals worked twelve and fourteen hours a day. The admirable petition from Huddersfield, presented by his hon. Friend behind him (Mr. Stansfield), stated that the Bill, even supposing it to confer a benefit upon one class, would inflict a direct injury upon others: and that instead of being called "a Bill for shortening the hours of factory labour," it ought to be called a Bill "for increasing the hours of every other labourer in the country, or reducing the measure of their comforts." Now these opinions were entitled to much consideration. It was

not necessary to tell the hon. Member for Oldham, that in every article of general consumption, cheapness was the condition of extended sale; and that anything which tended to raise prices above their natural level, was an injury, eventually, to the class who, in the first instance, relied upon experiencing a benefit. It might be asked, what was the natural price? and he would therefore quote, as the highest authority, Adam Smith—with whom the hon. Member might sometimes, though not often, agree. Adam Smith said, "The natural price, or the price of free competition, is the lowest price which can be taken, not upon every occasion indeed, but for any considerable time together." (If capital is to reproduce itself, and to pay the average interest which it produces in other trades.) "The natural price is, as it were, the central price, to which the prices of all commodities are continually gravitating." "Extraordinary profits seldom last. Secrets of this kind can never be long kept. They are the effect of fortune or accidents, or of a natural monopoly—like some vineyards in France." He (Mr. Ward) found an illustration of this opinion in a very remarkable work, recently published by Michelet, *Le Peuple*. He said, speaking of the manufacturing distress in 1842—

"In 1842, there was a crisis in the cotton trade. There was a complete glut. The warehouses were bursting. There was no demand. The manufacturer could neither keep his works open nor stop them, for he had to pay interest on borrowed capital, whether he worked or not, and he made bad worse in sheer despair. Prices fell without producing a customer, until they reached 3*d*. per yard. Then we saw a social miracle. The word threepence (six sous) was a tocsin. Millions of buyers—poor people who had never bought before—started up on every side, and taught us what an incalculable power of consumption there is in a people when it is once called into play. The warehouses were emptied in a week. The engine chimneys smoked again. Every hand was employed. It was a revolution in the best sense—little noted, but great—a revolution in point of cleanliness, of order, of ornament, even in the houses of the poor. Shirts, sheets, table cloths, curtains—whole classes had them who had never had such things since the beginning of the world; and statesmen learned that a power, which seemed to be aristocratic in its character, from the vast accumulation of capital which it requires, might become the most powerful agent of democracy, by bringing within the reach of the poor many objects of comfort, luxury, and even elegance, which, but for it, they could never have possessed."

The noble Lord the Member for Newark had found fault with the right hon. Baronet the Secretary of State for the Home Department, because he said he had plunged deeply into calculations and figures, "which no man who vindicated a principle need do." That was a very convenient doctrine; but when they were arguing a question which involved 35,000,000*l*. of our exports, and an expenditure of 250,000*l*. a week in wages, they must plunge into figures if they did not wish to do irreparable mischief by bungling legislation. But some hon. Members really did not seem to know what a principle was, though they were always talking about them. [Mr. Bernal: Hear.] He was afraid, upon this question, his hon. Friend was one of them, for though he always listened to him with pleasure, he certainly could not always understand the principles upon which he was acting. What was the test of a principle? It must correspond with facts, when tried by them, or it was no principle at all. At all events, it was a principle not worth having. There was a principle, for example, laid down by the hon. Member for Hertford the other night, that capital and labour were antagonistical. He said, "He was glad to hear that large fortunes had been amassed by trade; but if the manufacturers continued to oppose this Bill, they must expect to be told, as the landowners had been told already, that their interests could not be allowed to stand in the way of those of the community." His hon. Friend must really read Adam Smith again; for in his great work, he would find it established that, in the long run, the interests of the capitalist and the labourer were identical, for that, with the best wishes, there could be no permanent improvement in the condition of the working man without an increase in the capital of the country. Increased capital was the only fund out of which increased wages could come. That was his (Mr. Ward's) principle, and if they wanted to test it by the facts, they had only to look to the last report of Mr. Horner. There had been a great increase of capital in the manufacturing districts during the last three years. Business had been brisk, and money came in fast. What became of it? Why, Mr. Horner told them, that since November, 1842, 529 new factories had been built, with a power of 10,041 horses in machinery, and employing 50,522 additional hands. Where did those hands come from, then? From places, certainly, where they were not so well paid as they were now in Lancashire, or they would not have come there—perhaps, from places where wages were reduced to the Dorset-

shire standard. Was it wise to interfere with a system producing such results, and involving such interests? He had said before that the commercial part of the argument was exhausted by the speeches of the right hon. Baronet the Home Secretary, and his right hon. Friend the Member for Taunton. It was clear that you could not cut off one-sixth of the productive power of the country without crippling our foreign trade. Whether that trade arose from our superior industry and energy, or our superior machinery, cheapness was the only hold we had upon those neutral markets to which three-fourths of our exports were sent, and where we were pressed on every side by foreign competition. There were many branches of our trade in which 5 per cent, one way or the other, would turn the balance in favour of this country or of the United States. [Mr. MUNTZ: Two and a half.] Yes, or two and a half. The noble Lord the Member for Newark had called the manufacturers a timid, puling, braggadocio interest, who came whining to that House for protection whenever they encountered a difficulty. Why, what a misrepresentation was that, by the noble Lord, of the position of the manufacturers. If the 20 per cent protection were worth anything to them, its benefit was confined to the home market, in keeping out foreign competition here; but 20 per cent was of no use to them in the neutral markets, where they came into competition with the goods of France and Germany. All the manufacturers sought was the privilege in common with the farmers and all other employers of labour in this country, of making such terms with their workmen as should be thought by both parties to be most conducive to their mutual interest. What the manufacturers protested against was the daily tampering with their interests by the legislation of men who did not understand them. ["Hear, hear!"] Why, he ventured to say that not one out of fifty did. [*Cheers and laughter, Sir Robert Inglis pointing to Mr. Fielden.*] Oh! he understood that appeal to the hon. Member for Oldham. *Valet et quantum!* At the moment we were making the greatest economical changes, was it wise to be tampering with four of the greatest interests in the country? Why, by this measure they were turning the House of Commons into a great trades union. Those who, like himself, did not choose to see the working classes exposed to the risk of losing that by which they gained their living, would not submit to be taunted with inhumanity by those who, legislating in in a blundering spirit of philanthropy, were risking the very existence of the foreign trade of the country, and with it that of those who depended on it for subsistence. He dared to say not one Member out of a hundred was aware that the principle of this Bill was identical with the principle of the trades unions throughout the country, and that it sanctioned some of the most mischievous delusions now prevailing among the working classes. It was founded upon the assumption that you could reduce production, yet pay the same amount of wages by raising prices, and still keep both the home and the foreign markets. He had the misfortune of observing those delusions on a large scale in Sheffield, where they had been carried into practical effect by the men, who had certainly succeeded for a time in working for only seven, and even six hours a day, and yet receiving the same wages as when they worked for twelve hours. But how had this been brought about? By creating a fictitious scarcity both of goods and of hands—by restrictions which in a short time must be fatal to their trade—and by proceedings he did not like to characterize, which forced the men into submission to rules which amounted to an abnegation of almost every right that a man ought to possess. Each trade was a caste, as in Hindostan. They allowed no man to take an apprentice to his trade unless the son of a man already in the same trade; and if a man had three sons, he was only allowed to apprentice one of them to his own trade, while he could not put him out to another, in consequence of all alike being fenced in with the same restrictions. So the other two were driven out into the agricultural districts, or allowed to pass their early years in idleness and debauchery. This system, which was created by an unhappy error of the working class with respect to what their true interests consisted in, was in principle most vicious, and must be productive of the most disastrous consequences to the operatives themselves. It had for a long period wholly disorganized and disarranged the manufacturing interest in Sheffield, where threatening letters were sometimes of as frequent occurrence as in Tipperary, and it had produced a feeling of estrangement between the employers and the employed, the evil consequences of which it was impossible to exaggerate. And all this be-

cause of the unhappy attachment of the working classes to a delusive idea of what their own prosperity consisted in. They imagined that they were promoting their own welfare, while they were, in point of fact, doing that which fatally injured their prospects, and tended to break down that trade in which were centered their hopes of independence. There was no new opening for them in the Colonies, nor had they the slightest chance of keeping their ground, unless by one thing alone, superior cheapness. Any one who induced them to hold a different creed from this was no true friend to them. As to the neutral markets, to which 73 per cent of the hardware exports were consigned, the case was self-evident. If the Germans, or Belgians, could produce goods of the same quality, and greater cheapness, England would lose the market; and English prices must consequently be fixed, not by any reference to the wants, or wages, of the working classes here, but by the price at which similar goods could be made in other countries. By not seeing this in time, whole branches of trade, of which Sheffield once had a monopoly, had been transferred to other countries, and the process was still going on. He had letters in his pocket from a large manufacturing house, which had received an order for scythes from Canada on condition that it could be executed at the same price as in the United States, where the weekly wages of the workmen employed in making scythes were 24*s*. But in Sheffield, the same work could not be done under 30*s*.; so the order was lost; the scythe trade would follow, and it was fearful to contemplate the consequences of those successive changes in a town where half the population would starve if forced to rely upon the home market. Was it wise to extend this principle to the four great staple manufactures of England? The system was only sustained in Sheffield by restraints so galling, and sacrifices both of wrong and personal liberty, so great, that, as a mere matter of calculation, he was convinced that the working classes would be infinitely better off under a system of free competition, now that their monster monopoly was about to be removed, which had stood in the way of the natural expansion of their trade. He was assured that there were grinders at this moment in Sheffield, who might earn from 4*l*. to 6*l*. by working six days a week, but who preferred working three days, and earning from 40*s*. to 50*s*. He was told that the most respectable houses dared not allow their clerks to enter their orders in their own books, for fear of a rise in the price at which they had undertaken to execute; and while such errors were abroad, he could not help thinking that it was a great mistake for that House to sanction the delusion which lay at the bottom of those trade combinations, which he feared very much they would do, if they were to give their assent to the measure now under consideration. Hon. Members were too apt to underrate the evil consequences of unsound doctrines preached in that House. They did not reflect what was going on in the minds of the working classes. Every false principle that was broached in that House sunk into the heart of some class or other, labouring under real or fancied injuries, or injuries which, though caused by circumstances over which their employers had no control whatsoever, they were too apt to attribute to the cupidity and tyranny of the masters. As an illustration of this disposition, he might refer to an event, which occurred in Norwich some years ago. Norwich was, at one period, a great manufacturing town. The working classes, however, with a blind infatuation, resisted the introduction of the power-loom there, when first invented, and the consequence was their own ruin by the transfer of the trade to Lancashire and Yorkshire, where the low price of coal fixed it. Norwich was now, comparatively speaking, a desolate place; and if it still enjoyed any vestige of its former prosperity, it owed it to the persevering and unwearying exertions of a few spirited manufacturers, who were not to be disheartened by the great local advantages of their rivals. One of these was the late Mr. Willet, who, under most adverse circumstances, exerted himself to the utmost to keep up still the competition between Norwich and the present more favoured seats of manufacture. He died some time since at a watering place; but his body having been conveyed to Norwich for interment, a scene took place the most horrible, the most disgraceful that had, perhaps, been ever witnessed in England. The working classes went out of the town in large numbers to meet the funeral procession. They followed the corpse with curses and imprecations to the churchyard. Their expressions, as they stood over his grave, were most appalling. "There," they said, "he has been laid down safe enough, and no mistake. Would

that every one in the country who resembles him was lying in the same grave with him! They go into Parliament to rob and defraud the poor man; but thank Heaven! they die—they must die at last." This was the feeling entertained and expressed by the whole working population of Norwich with regard to a man who had been one of their best benefactors. It was the unhappy consequence of one of those false principles, which he could not help thinking were acknowledged, and sanctioned, by the measure now under the consideration of the House. Entertaining these sentiments, looking upon this Bill as a backward step—as a step in the wrong direction—and believing, moreover, that it was founded on principles with which he, as a free trader, could have no community of feeling, he felt himself called upon to give to the second reading his cordial and unqualified opposition. He might be told that great events were impending, and that political considerations of great moment were involved in this question. He might be told that the Government would be in a minority, and that this was a critical moment for such a contingency. He knew all this to be true. He knew that this was a great party move; and he understood by a glance at the condition of the opposite benches what interest their occupants attached to the measure. Those benches were empty all the night, and were now only tenanted as the hour of division approached. But he for one cared not what changes might be dependent on the result of this debate. He saw in this Bill a vital principle; and although it caused him deep pain to separate from those with whom he generally acted, and for whose views on other subjects he entertained the sincerest respect, no party or personal considerations should induce him to betray his trust, or be false to the duty he owed to the interests of the great manufacturing community which he represented. To those who would most probably have the majority to-night, he would say, he did not envy them the responsibility of their victory. Government might be defeated; but he, for one, would be most ready to take share in the honour of that defeat.

Lord G. BENTINCK: The hon. Gentleman who has just sat down has charged my friends around me with making themselves parties to a great party move, and says, that the interest which they take in this subject is easy to be discovered in the state of these benches. Why, if that is a fair charge, what is to be said of hon. Gentlemen opposite, and of the interest which they take in the Corn Law question? for during the debates on that subject, night after night, for hours together, the benches opposite were entirely deserted; not a single Gentleman could be seen sitting on those benches. I have a right to say for a majority of my friends, though not for myself, that so far from this being a mere party move on their part, they were, almost to a man, supporters of the very same view of this question two years ago. In 1844, nearly all my hon. Friends around me in a body supported Lord Ashley's Ten Hours' Bill. Then, I should like to know what right the hon. Gentleman has to charge my hon. Friends with supporting this measure from party considerations alone? If there is any party in this House which has a right to claim credit for an honest and disinterested course on this question, it is the party which is composed of my hon. Friends around me. The hon. Gentleman has said, that it is easy to purchase a cheap popularity by joining in this humanity cry; I think we might retort the charge of raising the cry of cheap bread against those who support the repeal of the Corn Law. But on this question, at all events, we are not upon a humanity cry risking all the interests of the country in one great experiment. If there is any question on which caution has been observed, it is this; two years ago we reduced the hours of labour; we have now had the experience of these two years, and have we destroyed the cotton trade? Have we reduced the wages of labour? No such thing. On the contrary, both the export and the home trade have greatly increased, and so have the wages of the operatives. Where then is the danger and risk of this further extension? We are not treading on untried ground; we reduced the hours of labour to ten two years ago; and we now ask you to reduce it further by five hours a week. But other questions are now mixed up with this; great measures have recently passed this House; by which, if they should become law, a great number of unskilled artisans, a great number of agricultural labourers, will be thrown upon the market; and they will require our protection; some division of labour will be needed. I, for one, admit that the same quantity of work cannot be done in ten as in twelve hours. But I cannot admit that one-sixth more work can be done in twelve

than in ten hours, especially when you are dealing with persons under eighteen years of age. The hon. Gentleman has said, that there are no such regulations as to labourers in agriculture. There are not, and for the best of all reasons—no such regulations are required. In agriculture the ordinary hours of labour in the summer are twelve; but of them one is allowed for breakfast, and another for dinner; and in the winter ten, from which is to be deducted half an hour for breakfast, and half an hour for dinner. There is, therefore, he need of these regulations in that case; because, by conventional agreement, the hours are already limited. So as to bricklayers and carpenters, and all trades not exercised in factories, the hours of labour are already by custom reduced to ten. And now, we ask you to provide that young persons under eighteen shall not work in these factories a longer time than full-grown men ordinarily do work in other occupations. Have we not legislated for the negroes in the West Indies? Did we not limit their hours of labour to nine? Is the climate of the West Indies worse than the heated and polluted atmosphere of these factories? And will you say that the children and young people of this country shall labour for more hours a day than the negroes in the West Indies? It was said by the hon. Member for Glasgow, that by a reduction of the hours of labour from twelve to ten, the cotton manufacture would be reduced to the extent of the whole of the home consumption; but I apprehend that that statement has no foundation in fact. The hon. Gentleman stated that the home consumption amounted to one-seventh of the cotton goods exported; but if that be the case, the home consumption cannot equal in value 4,000,000*l.* sterling; and can any man believe that the home consumption is not more than 4,000,000*l.* sterling? Why, twenty years ago Mr. Huskisson stated that he had taken the greatest pains to obtain accurate information on the subject, and that in 1823 the home consumption of cotton goods was 32,000,000*l.* sterling. Now, in 1845, the value of our cotton exports was 25,000,000*l.*; and if the hon. Member for Glasgow were right in stating the home consumption at one-seventh of the exports, that would bring the home consumption of cotton goods to about 3,500,000*l.*, or not more than 2*s.* 6*d.* per head; whereas in Canada the consumption is 7*s.* per head, and in our West Indian possessions in 1840, it was 1*s.* 6*d.* per head. Why, is it not ridiculous to suppose that the people of this Empire consume only 2*s.* 6*d.* per head of cotton goods, while the value of that consumed in the West Indies amounts to 26*s.* per head? When statements like these are made in this House, and we are told that by supporting a measure like the present we are going to reduce the cotton manufactures by the entire amount of the home consumption, I think we are entitled to pay but little regard to arguments coming from that part of the House. When we see this measure, moreover, supported by the hon. Gentlemen the Members for Oldham and Salford, and when we bear in mind that the great supporter of measures of this description was no other than the late Sir Robert Peel—I think it is rather too much to charge those who now support the Bill, with adopting that course from a desire to obtain popularity by the expedient of resorting to a humanity cry. Sir, a desire to gain popularity by raising a humanity cry cannot be traced to the Gentlemen who surround me. For the reasons I have stated, and believing in my conscience that the measure before the House will in no degree injure the interests of the manufacturers, it shall have my cordial support—satisfied as I am with the experience of the last few years that we are not making these changes too suddenly, but, on the contrary, after due deliberation and caution. But, Sir, are there no other reasons why we ought to support this measure? Do we not every day see that the children employed in mills and manufactories require more protection? Have we not seen that within the last three or four years offences against Factory Acts are of more frequent occurrence, and that so far from prosperity in the cotton manufactures bringing comfort and ease to the operatives employed in them, we find that in proportion as trade prospers, the number of offences by millowners has increased. I do not, Sir, mean to charge the millowners with being more unfeeling or hardhearted than any other class of the community; but the truth is, that no matter what description of employment we may be engaged in, or to what class we may belong, there are to be found persons who cannot help trying to obtain the utmost possible profit for the outlay of their capital. The increase of offences is a sure proof, that as trade prospers, profits increase, and, as they increase, so will children be overworked. But we are told, with regard to

other questions, that we are to listen to the cry out of doors. I apprehend if there ever was a case upon which there was a unanimous feeling on the part of those who ought to understand their own affairs best, it is upon this very question. And, as the hon. Gentleman the Member for Sheffield (Mr. Ward) has told us, that he has learned more in his conversation with the operatives of Sheffield than from any of the debates which he has listened to in this House, I think we are entitled to pay attention to the unanimous wish of the operatives who are to be affected. Should this measure pass into law, I am assured, Sir, and I believe it, that the operatives are willing, even if their wages are reduced, to submit to such reduction as long as they and their children are not overworked, as now, I regret to say, they are. I think, Sir, we are bound to listen to the wish of so large and so important a class of the people. But even if it should be true that the same amount of manufactures cannot be produced should this Bill pass into law, what will be the result? Why, that more mills and more factories must be built—and that a greater division of labour must take place, not in the employment of fewer persons, but in the employment of a much greater number. If I were also to say that great profits ought to be reduced, might I not also add, that it is one of the great scandals of the present day that enormous fortunes are amassed by the few, while the profits to the many are miserably small. If there should arise out of this measure a fairer division of profits, no very great mischief will be done. We shall not, I presume, be told the profits of the cotton trade are so small that the master manufacturers cannot afford to share them more with the operatives they employ, when we recollect that out of the superfluous profits arising from the cotton manufactures, we have an instance of a quarter of a million fund having been subscribed to promote a repeal of the Corn Laws. For these reasons, Sir, I will give my cordial support to the Bill now before the House.

Viscount MORPETH: I hope the House will allow a Member, who represents a vast body of workmen, and a great variety of manufacturing interests, and who had not an opportunity of giving his opinion on this Bill when it was discussed two years ago, to make a short trespass on their notice. I own I regard with a considerable feeling of envy those Members who, on either side of the question, can feel any very comfortable assurance as to the truthfulness or rightfulness of their own convictions. I confess that to me both sides of the alternative seems beset with much difficulty, and I cannot help looking with much misgiving at whatever course the House may adopt. It is difficult to assume the responsibility of resisting the arguments that are urged by the promoters of the measure, or to incur the risk of adopting an ill-advised or premature step. I should feel it an inexpressible relief, not only to be sure that I was doing right, but to be sure that I thought I was doing right. On the one hand, I am ready to admit to some degree the representations which are put forward by the promoters or supporters of the Bill, though certainly I think they take rather an exaggerated view of the case. I do not believe that factory labour, in the average number of instances, though it may be weary, can be reckoned severe and injurious. I do not believe that the average condition of their health—though of course it is not so good as if the workmen had a greater enjoyment of air, exercise, and time—can be reckoned comparatively bad. Indeed, I believe the real condition of their health depends much more on proper arrangements being adopted within the factory with respect to cleanliness, ventilation, and space, than on the precise number of working hours—be the hours more or less. In all those respects the master of the mill can exercise much more power and real influence over the health and well-being of his hands, than the Legislature; but these firms are composed of such men as the Messrs. Marshall and others—men who are ignorantly traduced with respect to this measure; and I believe those men to be amongst the most indulgent friends of the working classes which this land, distinguished as it is for philanthropic efforts, can produce. I am quite ready to admit that the workpeople—men, women, and children—engaged in factories would derive great benefit both for their health and growth if they had shorter hours of work. I believe they would derive no slight advantage from having more time for recreation, more time for education, for family intercourse, for intellectual and moral and religious culture, advantageous both for their bodies, their minds, and their souls. So far, I go completely along with the promoters of this Bill; but then in such a complicated state of society as ours, all the departments of labour have

such a close relation to each other, all the currents of business run so into each other, that we cannot calculate on the effect of any disturbing cause we may introduce. We shall find both in our experience, and if we consult history, that charity has too often had to weep over its own work. I need not remind my hearers of that familiar instance in the colonial history of Spain, when to relieve the red Indian they introduced the black Negro into their colonies. So it is that legislative benevolence, though it may intend to apply only a tender touch, comes down often with a heavy hand on the object of its benevolence. I feel, therefore, even from the statements of the promoters of the Bill itself, from what they have said of the results of the experiments that have been made in some mills, of working only for eleven hours, that at all events, if we should resolve to make an experiment, it ought to be the most cautious, and with the least risk in our power. I think if a reduction should take place, it would be the height of rashness to go beyond the reduction of one hour, or to make the hours of labour less than eleven hours a day by the present Bill. But then it will be asked if under any circumstances I should be prepared to consent to a reduction, is it not the proper way to go into Committee, where I may propose any such reduction as I think proper? Well, perhaps, under ordinary circumstances that would be the proper course to adopt; but I own at present it would be impossible to say what number of hours would be carried in that Committee; and I say that with a recollection of the quarrels that have been introduced in the discussion of this Bill. The noble Lord himself, my noble Friend who just addressed the House —and I am sure, he is actuated himself by nothing but conscientious and honourable motives—has seen reason to change his opinions and his vote; and I think that change to which he has brought his mind, might have taught him to regard with a little more allowance and forbearance the changes that have crossed the minds of others. My noble Friend is contented with the experience of two years; but he will not allow the experience even of three years to be sufficient for others. But beyond this, beyond not feeling sure how far, in the present temper of tne House, I would be able to carry a proposition to confine the reduction to eleven hours, and feeling that it would be most mischievous to consent to further a Bill that might possibly go so far as reduction to ten hours; still, if I had even a guarantee that there would be no greater reduction than to eleven hours, I should not feel justified in going into Committee. The Session, and the times, most powerfully advise us to suspend any decision for the present; for I think this Bill, a Bill for regulating the hours of labour, is nearly connected with the Bill for the repeal of the Corn Laws—in other words, with the Bill to increase the payment of labourers—and I cannot bring myself to deal with one, until I ascertain the fate of the other. ["Hear."] Why am I interrupted with that cheer? I think it injures in the highest degree the best interests of the working classes to limit the hours of labour, unless at the same time that other measures are introduced to augment the remuneration of the labourers. A Bill has been introduced into Parliament which I trust and hope and believe will have that effect; and I ask, will the hon. Member who interrupted me with cheering guarantee to me that that Bill will pass into a law? Then he cannot blame my prudence and procrastination in refusing to reduce the hours of labour. I always felt it strongly to be the case, and I elsewhere have stated, that the passing of the Act for the repeal of the Corn Laws would afford the opportunity for reconsidering the question of the hours of labour; but I think the certainty of that repeal ought first to be assured, and some experience of its effects should be tried. I have never concealed my opinion, at the same time, that the best mode of settling this question of the hours of labour would be by mutual agreement and understanding between the masters and the men. Now, I thought, especially in the commencement of the present spring, that there was more prospect and hope of such an agreement than at previous periods, and see no reason now to abandon that hope, provided the Legislature abstains from present interference. And here, I must say, I think that my right hon. Friend the Member for Taunton (Mr. Labouchere) has been much misrepresented by some persons in this debate, who represented him as recommending the workmen to resort to a strike to procure a reduction of the hours of labour. My right hon. Friend made no such recommendation. He referred to the absence of strikes, not as advising the workmen to resort to them, but as an historical proof of their compara-

tive indifference with reference to the reduction of the hours of labour. He said that workmen had joined in strikes to obtain an increase of wages, but that they never had recourse to strikes to obtain a reduction of the hours of labour. And I will go further, and say that not only is no strike necessary on the subject—and without any further legislation on the subject—if any considerable numbers of the men should feel an anxiety to have shorter hours of labour, submitting at the same time to a corresponding reduction of wages—for I say that those who hold out that the hours of labour will be reduced without a corresponding reduction of wages, are practising the most mischievous delusion upon them—if it be their wish to obtain shorter hours with a corresponding reduction of wages, they have nothing to do but to go to some of the masters, who will be most glad and willing to shorten the hours of labour, at the same time accompanying it with a corresponding reduction of wages. I believe it is a notorious fact, that in the same towns and neighbourhood where in some mills they work for the long hours, and in some other mills work for the shorter hours, paying for the piece-work at a reduced price, the men almost invariably prefer the long hours with full wages to the shorter hours with reduced wages. Much has been said of the superiority of English labourers—of the superior merits of English sinews and English skill. I am quite willing to admit that superiority, and I am proud to think the statement well founded; but in the first place the great part of the labour in mills and factories does not depend upon strength and skill, but upon the revolution of machinery. When we find by authentic statements that in many foreign countries the hours of labour are seventy-eight hours or eighty-four hours a week; in Prussia, seventy-two to ninety hours; in Austria, ninety-two to eighty; in the Tyrol, seventy-eight to eighty; in Saxony, seventy-two; in Berne, ninety-four; and when in England it is proposed to reduce them to fifty-nine, I fear much that no superiority of English strength, or English skill, will tend to counterbalance the enormous difference between ninety hours a week and fifty-nine hours a week. With respect to the present state of morality in the manufacturing districts, what is the last report we have on the subject? The returns that have just been submitted concerning the increase and decrease of the annual number of commitments throughout England has this passage:—

"In the extensive and populous counties of Yorkshire and Lancashire, the chief seats of the great staple woollen and cotton manufactures, the large decrease of commitments in 1843 and 1844 has continued; and there is a decrease in 1845, which arises chiefly in Yorkshire, of 6.9 per cent.; and, comparing the two last periods of three years, of 19.1 per cent. In the adjoining counties of Chester, Derby, Nottingham, and Leicester, where the silk, lace, and hosiery manufactures are chiefly carried on, a considerable decrease is shown in each county, which last year reached 22 per cent on the aggregate, and 13.2 per cent on a comparison of the two last periods of three years. The decrease has also extended to Staffordshire, Warwickshire, and Worcestershire, the seats of the principal hardware, pottery, and glass manufactures, and the adjoining county of Gloucester. In this district, the aggregate decrease in 1845 was 13 per cent, in the two last three years of 9.6 per cent."

No statement can be more satisfactory. This is the district which is represented, under the present system, as giving encouragement to every sort of immorality and irregularity. I don't say this gratifying change is conclusive, but it suggests a caution to us how we should disturb the present system. But whatever may be the abstract right of the State to interfere with labour, or with the bargains between man and man, and masters and workmen, I certainly feel that we should not do so while we are yet ignorant of the fate of the measure which will be an equivalent and compensation. I hope that we shall some day be able to effect a reduction in the hours of labour; but I think the hon. Member who introduced this Bill and the House would do well to suspend their decision upon it. But whatever may be your determination, I could not justify it to myself to lose this opportunity of stating, that under no circumstances am I prepared to sanction a greater diminution of the hours of labour than one hour a day—thus reducing the hours of labour to eleven hours a day; and under present circumstances I am not prepared to accede to any reduction of the hours of labour until, by the fate of the Corn Bill, I know it will have as an accompaniment a measure by means of which we shall be prepared to meet it.

Mr. MACAULAY: Sir, I am very desirous to have an opportunity of explaining on what grounds and to what extent I am prepared to support the Bill before the House. I hope it is unnecessary for me to preface what I have to say by declaring that with any unjust aspersions, such as the hon. Member for Sheffield (Mr. Ward)

observes have been thrown on the manufacturers of this country, I have no sympathy. Towards them I have no feeling except that of kindness and respect. I feel convinced, that with the interests of the manufacturers of this country the interests of the whole society, and especially of the labouring classes, is most closely linked. As allusion has been made to the present state of the political world: I will also add, that I hope no feeling whatever of political or party hostility can possibly be supposed to prompt the vote which I shall give to-night. Under no circumstances whatever, indeed, should I think it agreeable to the rules of fair political hostility, to employ as a weapon of party warfare a question so deeply concerning the interests, and so strongly exciting the passions of great masses of the community. On the present occasion I can most truly say, that it would give me very great pleasure to find myself able to vote with Her Majesty's Ministers; I assure them, and I assure my hon. Friends on this side of the House, from whom I have the misfortune to differ, and especially the hon. Member for Sheffield, who spoke, I thought, in rather a plaintive tone on that subject, that I at least have no desire to obtain any credit for humanity at their expense. I most fully believe that their feelings towards the labouring population of this country are in all respects as kind and as cordial as mine. We agree as to ends; there is some honest difference of opinion between us as to means; and, under such circumstances, we ought to find it easy, and I hope I shall find it easy, to discuss this great question without one unpleasant feeling, or using one word in the smallest degree acrimonious. The first point which has been raised, and to which I wish to address myself, is a great question of principle, and which lies at the bottom of by far the greater portion of the discussion on this and former occasions. Is it, or is it not, a subject on which we should legislate? Is this one of those matters which the State may properly interfere to settle, or which it ought to leave to settle itself? I think it most important that there should be no mistake whatever upon this subject; that we should neither assume functions which do not properly belong to us, nor abdicate functions which, if they do properly belong to us, we are bound to exercise. I know not which of the two is the greatest pest to society—a patriarchal Government, or rather a meddling Government, which intrudes itself into every part of the system of human life, and thinks it can do everything for everybody better than anybody can do anything for himself; or, on the other hand, an easy, careless, *pococurante* Government, which suffers abuses, such as might be checked by an easy remedy, to exist under its sight, and to all complaint and all remonstrance answers only, "Oh, let things alone, let things take their course, let things find their level." I believe, if there is an important problem at all times, and especially at this time in politics, it is to ascertain where the line divides those cases with which the public authorities ought to interfere, from those with which they ought not. Formerly, I think, the general besetting sin of Governments was undoubtedly that of meddling. The magistrate pushed himself into everything. He interfered with matters on which, unless he possessed the powers and the wisdom of an angel, it was absolutely impossible for him to do any good. He was always attempting to correct some evil that was not within his sphere; and the consequence was, that he invariably augmented the evil he proposed to correct. He was shocked by the fear of scarcity, and so he made laws against forestalling and regrating, and created a famine; he was touched by the oppression practised upon borrowers, and so he made a law against usury; and the poor borrower, who might have got money at 10 per cent, could not possibly get it at 15 or at 20. Evils of this kind attracted the attention of some philosophical minds. They were exposed, and by the exposure inestimable service was rendered to society. I cannot, however, but fear some evils in the reaction, and I think I see some danger of very able and eminent men falling into the other extreme. I do not wish in the present debate to introduce questions not now before the House; but, by way of illustration, I would just say, that I do think it a very remarkable circumstance that we should have lived to see the settling of all the great communications of the Empire—a question always considered in every former age as strictly belonging to the province of the Government—abandoned by the Government to private speculation. Another instance of error on the same side I find in the way in which some Gentlemen, for whose judgment I have the highest respect, look on the question now before us. In the opinion of those gentlemen, such as the hon. Member for Sheffield and the hon.

Member for Montrose, the question seems to resolve itself into the general principles of free trade ; and they argue that you do not legislate to settle the price of gloves, but you leave that to find its own level—and so let this matter take its own course. You leave the hosier, they say, to manage his own business—to trust what customers he likes—to give long credit and make high charges, or to be content with swift returns and small profits ; you own that he can judge better for himself than the State for him, and interference in such matters is legislating in the wrong direction. These Gentlemen say, that you departed from right principles when you legislated with respect to such a question as that now before the House; and that every step you take in the same direction is to go further and further in the wrong. With the greatest respect for those Gentlemen, I must confess I cannot see the matter in this point of view. I have laboured to submit my judgment to theirs, but I cannot do it, and must be guided by such light as I possess. I believe that I am as firmly attached as any Gentleman in this House to the principle of free trade properly stated, and I should state that principle in these terms: that it is not desirable the State should interfere with the contracts of persons of ripe age and sound mind, touching matters purely commercial. I am not aware of any exception to that principle; but you would fall into error if you apply it to transactions which are not purely commercial. Is there a single Gentleman so zealous for the principles of free trade as not to admit that he might consent to the restriction of commercial transactions when higher and other considerations are concerned? Take questions of police. For instance, you limit the number and regulate the fares of hackney coaches and hackney cabs. All the arguments in favour of free trade tell against such an interference. On a rainy day few cabs are to be met with on the stands, but there are plenty of persons possessed of cabs who would bring them out for hire on such occasions, if they were permitted to charge what fares they liked; but the Legislature interferes to prevent this. Can there then be a more striking instance of interference with the principles of free trade? In conformity with these principles, you should not regulate the charges for hackney carriages ; but on good ground of police the State steps in and regulates the fares of public carriages in the metropolis. So also considerations of revenue make you interfere with the principles of free trade in other cases. What business have you to go on a person's property, and say that he shall not cultivate tobacco on his own ground? So it is in respect to matters concerning national defence, and a great many other things ; but I wish to confine myself to matters directly bearing on the question bsfore us. Therefore I say, in the first instance, that where the health of the community is concerned, the principle of non-interference does not apply without very great restrictions; and in this statement I hope I carry with me the general sense of the House, as I am sure I carry with me the full assent of the Government; for I have read a report signed by two Members of the Government, the Duke of Buccleuch and the noble Earl lately at the head of the Woods and Forests, and now Secretary for Ireland, and since that report was laid before the House, the noble Earl himself, with the full consent of his Colleagues, brought in a Bill on the subject of sanatory police, which certainly, if examined according to the principles of free trade, would appear the most monstrous production ever brought forth. For I find that by that Bill no person can on his own ground build in a street in a great town unless it shall be so many feet wide: no person can build a house on his own ground without giving notice to the commissioners, and no person can sink a cellar without their consent. Then the house must have a drain, and if it should be a previously existing house, and have no drain, the commissioners tell him that he must make one, and if he refuses, they may make it for him, and send him in the bill of expenses for payment. And if it is reported to these commissioners that a house wants whitewashing, they direct the owner to whitewash it; and if he will not, they send a man with a pail and brush, who whitewashes the house, and then the bill is sent in for payment. Suppose the owner of a house at Leeds or Manchester chose to take his stand and address the noble Earl on the subject. Suppose he were to call upon the noble Earl to reconcile this interference with the principles of free trade. "You tell me," this man would say to the noble Earl, "it is your principle to buy cheap and sell dear: why then do you prevent me from running up the cheapest buildings I can, and letting them at the best prices I can get?"

"You state that you do not like a house without a drain—do not take mine, then: no one forces you to live in them; but I can find many persons—many a poor family willing to give one shilling a week to live and sleep in a cellar without a drain; and why may not I take that one shilling a week, and why may not they sleep in a cellar without a drain if they choose? Why did you send in a man without my consent to whitewash my house, and then force me to pay for it? The persons I deal with are of ripe age and sound mind, and when they have voluntarily contracted to live in my tenements, why do you interfere in the matter? You cannot defend this meddling on the extreme principle of free trade and non-interference." I believe that the noble Earl who introduced this Bill would answer that this is not a question of free trade; that the principle appealed to was not the true principle, but a caricature of free trade; and it is owing to the caricature that so salutary a doctrine as free trade, properly understood, has so slowly, and with so much difficulty, made its way. We should have nothing to do with the matter if it were a purely commercial affair; but other and higher interests than mere commercial interests are concerned. It concerns the public weal that the great mass of the people should not live in a way the effect of which is to abridge life, to make it wretched and feeble while it lasts, and to send to untimely graves the population, who leave behind them a more miserable progeny than themselves. If it be the fact that a great mass of our population is familiar with misery—if it be the fact that places calculated to shorten life, to taint the health and to turn the stomach of those accustomed to more cleanly habits, are not noxious to those who dwell in them; this proves how greatly the Government of this country has neglected its duty, and proves that they have tolerated the existence of houses like hogstyes, until there is danger of the population becoming like hogs. Who can affirm, then, with respect to a question where morality and humanity are concerned, that we must adhere to this principle of non-interference? Take the question of lotteries. A man has an estate for which he wishes to get 20,000*l.*, and he issues 1,000 tickets at 20*l.* each, with the condition that the first ticket coming out of the wheel shall gain the estate. The Legislature interferes, and annuls the whole proceeding. But suppose the owner of the estate appeals to the principle of free trade—suppose he says, "What have you to do with this voluntary contract between me and other parties? You may think it a bad speculation—then don't take a ticket; but what right have you to prevent those men from doing so who are of ripe age and sound mind?" The answer is obvious; we interfere, because if we tolerated these things we should be giving encouragement to habits and qualities of mind incompatible with the virtue and morality of individuals in society. I hope I carry the House with me thus far, that the principle of non-interference is one that cannot be applied without great restrictions where the public health or the public morality is concerned. Then, I ask, is not the public health concerned in a question relating to the time of labour? Does any one who has examined the evidence, or opened his eyes in the world, or examined his own feelings, doubt that twelve hours a day of factory labour are more than are desirable for youths of thirteen? If so much labour be not desirable, then, I say, every argument on which interference can be justified calls on me to keep those youths from injuring their health by means of immoderate toil. Is this, or is it not, a question in which morality is concerned? Can any one doubt—certainly my Friends around me do not doubt—that education is a matter of the highest importance, as regards the virtue and happiness of the common people? For education we know that leisure is necessary. Do we believe that, after twelve hours have been taken from the day for factory labour, and after so much time as is necessary for refreshment and exercise has also been taken—do we believe that enough time will remain for that amount of education which it is desirable the people should have? I believe that we must answer that question in the negative. This I say, that all the principles on which you interfere to prohibit contracts of a nature which you believe to be prejudical to public morality, justify me in endeavouring to prevent contracts like those which are now the subject of consideration. But there is another question. We are legislating here principally for the young. Now, I ask, whether it is not a rule universally adopted by all civilized society, in which anything like a body of law exists, that those who are of a tender age should be placed under the guardian-

ship of the State? No one would say that a rich person under age should be permitted to sign away his property. We should cry out against such a proposition. And if any gentleman came forward and said, "What have you to do with the matter? Why do you pretend to know what is better for the man's benefit than he knows himself? Why do you interfere with a free contract between two persons?" The answer would be, that a boy of immature age cannot secure himself from injury, and the State is his guardian. But the property of the poor and young lies in his health and strength and skill—in the health both of his body and of his mind. To suffer him prematurely to impair that health by even his own consent, is greatly to depart from the first duty of a good guardian. These are the principles on which I hold that there is no objection to interference in this case. Where public health and public morality are concerned, I hold that the State may interfere, if, on the whole, such interference may appear advisable, even with the contracts of adults. Therefore interference, in such a case, would be justifiable, *à fortiori*, in reference to artisans under the adult age. This Bill does not propose to interfere with the labour of adult males. It may do so indirectly; though I certainly should, without hesitation, on the present occasion, vote against a proposition to interfere with adult males. ["Hear!"] Yet, let me not be misunderstood. One would think I had uttered a most monstrous paradox. One would think that not a single Gentleman was aware of any society in which the labour of adults had been limited one day in seven. Pray, let me ask, with reference to this monstrous paradox, will Gentlemen name to me a single civilized State since the first dawn of history in which a certain time of rest and recreation has not been set apart, even for adults, by public authority, consecrated alike by law, religion, and morality? One would think this was an unheard-of paradox, and that the most horrible, portentous, monstrous results must follow if once you legislate to limit the labour of adults; but the moment we look at it rationally, we find ourselves in the midst of such restriction, that all this has been going on age after age, and without for a moment suspecting that it involves any dangerous consequences whatever. Sir, it is a very curious circumstance, that, in societies where these restrictions on adult abour have existed, and where a disposition arose to regard them as superstitious, they have nevertheless felt the temporal inconvenience of interfering with them so great, that the Government has never ventured to abolish them without providing a substitute. After our own civil wars, the Long Parliament abolished Good Friday, Whitsuntide, and Christmas, as superstitious; but what did the statesmen of that time do? They passed a law—you will find it in the Ordinances—that in compensation for these holidays, the second Tuesday of every month should be given to the labouring people; and if any master forced his apprentice to work on the second Tuesday of any month, the apprentice should have him up before the justice of the peace. Then, again, what do you say to the French Revolution? The Convention swept away Sunday, Lady-day, and Christmas, but they found it necessary to give other holidays; and instead of the feasts of the Roman Catholic church, they proclaimed the Feast of Opinion, the Feast of Good Works, and the Feast of Genius. But let us recur to the illustration familiar to us all. It is not necessary to go into any religious considerations connected with the observance of Sunday, because all will agree that, whether Sunday be a human or a divine appointment, the consequences of its observance in an economical point of view are the same. Let me ask, then, is there one argument in the whole speech of my hon. Friend, with reference to the limitation of adult labour, which does not apply to the observance of the Lord's day? I speak, of course, only with reference to the temporal aspect of the question. The hon. Gentleman the Member for Sheffield says, if this restriction of labour be good for manufacturers and workmen, rely on it they will find it out. Well, why not reason in the same way about the sabbath? I have not the remotest doubt, that if you polled all the tradesmen in London whether the Sunday should be observed, you would have a majority of 10,000 to one in favour of its observance; and yet we keep it up, because I believe that if you did not, the principle of competition, the very soul of traffic, is so strong that it would lead some one to break through the rule, then another—one man opening his shop through cupidity, another in self-defence, then four or five, then a whole street, and at length the entire locality, would follow the injurious example. But if the argument is good for days, why not for hours? My hon. Friend the Member for Sheffield says, as if it were

utterly incontrovertible, you cannot limit adult labour unless you fix wages. Yet you have, Sunday after Sunday, for century after century, been restricting adult labour, yet have you not fixed wages. But then it is said, we cannot legislate for every employment. Why legislate for some, if not for all? See, it is said, how hard the sempstresses work—toiling in their garrets fifteen and sixteen hours a day. The housemaid, too, is up at six o'clock every morning, hard at work all day, dragging upstairs and down-stairs till late at night. If you cannot protect them, why interfere with the factory children? In fact, by protecting the factory child, you will aggravate the condition of others not so protected. Is that the way you reason with reference to the Sunday? You cannot protect every one on the Sunday; but you do what you can. You shut the factory, you shut the shops, you shut the public offices; but if any one proposes that you should interfere with the sempstress in her garret, you say, that is impossible; you cannot interfere there without spies in every house. You do what you can. You trouble yourselves very much about the practical effect of your legislation, and very little about its apparent symmetry; you strike what you can strike—you protect the Sunday for those for whom you can protect it; but that protection does not injuriously affect those who are unprotected. You know the effect is directly the contrary. You know your protection of those you do protect in the enjoyment of the Sunday has not the effect of making the housemaid, for instance, work harder on the Sunday. On the contrary, she works less on the Sunday; for you keep the public feeling on the right side, and you give an indirect advantage to those whom you cannot protect altogether. But, to come to the great argument which my hon. Friend and all those who have spoken on the same side of the question with him have relied most strongly upon. They have pleaded, and the subject is one which must be most gravely considered, the pernicious consequences which may result to the labouring classes themselves from this proposed interference. They say it is vain to think that you can take an hour off the labour of a man employed in a factory, without a reduction taking place in the remuneration which he receives for that labour—that there must be a diminution of wages if the hours of labour are shortened; that we may, by the adoption of this measure, sink the condition of our labouring classes lower than it is, and injure instead of improve them; and that we have here introduced a greater interference with labour than the safety of those who live by it would warrant. Now, I am far from denying that this argument deserves to be weighed with attention—that it is one of importance, and should induce us to act gradually and cautiously—and that we ought to feel our way well at every move; but I am at the same firmly convinced that there must be some great flaw in this argument, in the straightforward way in which it is applied, as if it rested on some principle of arithmetic, or on some problem capable of demonstration. And the reason I think so is this. We have legislated in some such spirit as this before. We have shortened the hours of labour in some instances already. Thirty years ago, it was stated by the late Sir Robert Peel to be a common practice to make children of 8 years of age work fifteen hours a day in factories; and yet now we prevent all young persons under 18 years of age from working for more than twelve hours a day. What a change is this to have already made! Did not all the arguments that my hon. Friend has urged—did not all his demonstrations about the falling of wages, and the necessity of the protection of long hours against foreign competition—apply just as strongly against the reduction of the hours of labour that has already taken place, as it applies to the question of farther reduction? I observe that the same arguments which are now put forward against this measure were used against that former Bill. Any person who reads over those debates, will find that exactly the same admonitions were held out then as now; but have they been fulfilled? The same description which we have now listened to was then given of the ruin which must await the cotton trade if the Legislature did not interfere for its protection. But the House heeded not these alarms. It passed the measure, but the ruin has not followed. The hon. Member for Oldham has told us that the former interference has not been followed by the evils which were apprehended. But it is asked, are we prepared to argue that, because the former interference, reducing the hours of labour from fifteen hours to twelve hours had done no harm, that therefore a further reduction from twelve to eleven hours would do no harm? That is not, however, my argument. But what I say is this,

that if your only argument that this further reduction will do harm, be in exactly the same words which were used on the same side against the former Bill, and which the result has shown to have been ill-founded, that then there must be some flaw in it one way or the other. To refer to the analogy of Sunday, to which I before alluded. Suppose that we go back to three hundred years ago. That was a time of great religious change. Everybody knows that there was much written and much said at that time about the origin of the obligation of keeping that day of the week as a day of rest. Now suppose that in 1546 some person had proposed to abolish the Sunday, in order to make the nation better and more prosperous. How easily might not all the arguments that have been employed here be used in favour of such a proposition? It might have been said, what an enormous increase of production must not such a regulation cause—what an increase of wages will it not produce—what advantages will it not ensure to you over every other nation that enters into manufacturing competition with you? Such, it would be contended, must be the effect of abolishing the Sundays. Now, supposing that the Sundays had been abolished, and that during the last 300 years we had been working on Sunday as on the other days of the week, do you suppose that the 15,000 or 16,000 factories now at work would be in existence? Do you suppose that every hammer, every adze, every shuttle, every loom now in motion in this country, would be employed? Do you suppose that the addition of one-sixth to the whole amount of labour in the country would have taken place, and that that addition would have shown itself at the end of fifty years? Why, we have all experience of what fifty years of industry can do. We have ourselves seen the change that has taken place in the manufacturing resources of this country within a recent period. We know that fifty years of industry has been able to double the produce of this country; but do you believe that if the Sunday had been done away with as a day of rest, that this country would have continued to progress as it has done, and that it would be one-sixth richer now than it is? My firm belief is that our people would have been poorer than they are. I do not mean, and nobody means to say that a man will not do more work in seven days than in six days; but I doubt whether he will have more work done at the end of the year by working seven days instead of six; and in ten years time I am convinced that the man who labours only six days in the week will have the most work performed. And how much more strongly will the case apply if we take the effect of unceasing labour for generation after generation. I say it is the most monstrous error in the world to suppose that by adding one-sixth to the days of labour, you would increase the quantity of labour done. And what I say about days, I say about hours. I do not at all doubt but that a person will, in a given number of hours, produce less than in a greater number of hours, or that in a given number of days he will produce less than in a greater number of days. I do not deny that a man will do a less quantity of work in eleven hours than in twelve hours, or a less quantity in twelve hours than in fifteen hours; but this I say, and believe, that a great society in which the children are made from an early age to begin to work for fifteen hours a day, will not produce so much in the course of a considerable space of time as a society where the hours of labour are much less. I look on men in a higher character. If we consider man simply in a commercial point of view, simply as a machine for productive labour, let us not forget what a piece of mechanism he is—how "fearfully and wonderfully made." If we have a fine horse, we do not use him exactly as a steam engine, and still less should we treat man so, more especially in his earlier years. The depressing labour that begins early in life, and is continued too long every day, enfeebles his body, enervates his mind, weakens his spirits, overpowers his understanding, and is incompatible with any good or useful degree of education. A state of society in which such a system prevails will inevitably and in no long space of time feel its baneful effects. It will find that the corporal and mental culture of the population cannot be neglected without producing results detrimental to its best interests, even in regard to the accumulation and creation of property. On the other hand, a day of rest regularly recurring every week, and hours of exercise, of leisure, of intellectual improvement recurring in every day, elevate the whole man—elevate him physically—elevate him intellectually—elevate him morally; and his elevation, physical, moral, and intellectual, again falls on the commercial prosperity of the country, which is advanced with it. Ten thousand cases

occur in which the truth of this doctrine is apparent. To take an illustration—one of the most obvious, the most direct, and the most familiar—what is the immediate cause that our manufacturer can undersell the Hindoo manufacturer in the bazaar of his own town, and in goods made of the cotton grown in his own plains? Is it not owing to our machinery? And to what do we attribute the perfection of that machinery? How many of the improvements that have taken place in machinery do we not owe to the intelligence, the thought, and the ingenuity of working men? My hon. Friend spoke of Adam Smith; but in the very first chapter of Adam Smith's work, he will find it stated by that great man, that he never could go to a factory without seeing some very pretty machine—that is his expression—that had been made by some ingenious working man in that country. But there are other instances that might be cited in proof of the benefits conferred by working operatives by improvements in machinery. Hargrave, the inventor of the spinning jenny, was a common weaver; Crompton, the inventor of the loom, and Johnson, who made the first dressing machine, were also working men. And let me ask how many hours of their labour, how many hours of the labour of their children, would do so much for the advancement of manufactures as one of their improvements in machinery has done? And in which of the two states of society is it likely that such men would arise? Is it in that society where the working man gains a good education, and where the faculties of his mind are developed; or in that society where the same person would be reduced to the state of a mere machine? Can we doubt but that in every community many men of talent will be found among the labouring population; and can we doubt but that as the general intellectual condition of that community advances more and more, such men as those I have mentioned will rise among it, and that as their intellectual powers are neglected, so the more and more will that society sink. How long must you wait until the slave of Louisiana or of Brazil will effect any improvement in machinery? But this, which seems to me to be the most important point in the consideration of this question commercially, was, I think, entirely overlooked by my hon. Friend. What is it on which, more than on anything else, the wealth of a nation depends? What is it which makes one community prosperous and flourishing more than another? You will not say that it is the soil—you will not say that it is its climate—you will not say that it is its mineral wealth, or its natural advantages, its ports or its great rivers. These are things that are very valuable indeed when human intelligence and energy use them well; but human intelligence and energy can do much without them; whereas without human intelligence and energy they are as nothing. You see countries that in the highest degree possess all these advantages, with a miserable population—with men having hardly a rag to cover them; while, on the other hand, in the most sterile soils, and under the most inclement skies, the greatest human industry and prosperity are to be found. Is it anything in the earth or in the air that makes our Scotland a richer country than Egypt, or Batavia, with its marshes, more prosperous than Sicily? No; but Scotchmen made Scotland what she is, and Dutchmen raised their marshes to such eminence. Look to America. Two centuries ago, it was a wilderness of buffaloes and wolves. What has caused the change? Is it her rich mould? Is it her mighty rivers? Is it her broad waters? No; her plains were then as fertile as they are now; her rivers were as numerous. Nor was it any great amount of capital that the emigrants carried out with them. They took a mere pittance. What is it, then, that has effected the change? It is simply this—you placed the Englishman instead of the red man upon the soil; and the Englishman, intelligent and energetic, cut down the forests, turned them into cities and fleets, and covered the land with harvests and orchards in their place. The great instrument that produces wealth is man; and the vast difference between the climates and natural advantages of Campagna and Spitzbergen, is not to be compared to the difference between a country inhabited by a population in a condition of full physical, moral, and intellectual health, and a country whose inhabitants are in a state of physical, moral, and intellectual degeneracy. These, I believe, are the reasons which explain why the wealth of this country has not been diminished by the observance, century after century, of one day of rest in the week, when your industry seems to be suspended, when your machinery is not at work, but when the machine of machines, man—upon whom everything else depends—is winding up and repairing, so that he returns to his work and labour on

the Monday with renovated spirits, with clearer intellect, and with restored physical power. Am I to believe that a change which would clearly be found to improve the moral, physical, and intellectual character of the people, could possibly make them poorer? For my part, I look with no alarm upon the competition of those people with whose competition we are threatened. I am told that we are in danger of being beaten out of the field by the people of Germany, who work seventeen hours a day, and who are in such a state that the public authorities complain that there is not one among them of stature sufficient to make a soldier. Sir, if ever the English nation is deprived of its commercial prosperity, it will be by no such race of dwarfs as these; it will be by some finer people than the English population—if ever such a people should arise. These, Sir, are the reasons which satisfy me as to the principle. I am convinced that this, being a question connected, for the most part, with persons of tender years—a question in which public health is concerned, and a question relating to public morality—is one with which the State may properly interfere. The objections which have been made, as far as I understand them, apply equally to an institution which has existed for ages, and which is acknowledged by us universally to be, in a temporal as well as in a religious point of view, beneficial to the community. But the question of degree is another matter. I have said, that in my opinion we ought on this subject to feel our way most cautiously; we ought to do this if only for the sake of the principle itself, because I conceive there cannot be the least doubt that if we were to take too wide a stride at once, to make too sudden a change, and if any fall of wages was to be the result, and a considerable outcry was to be raised on the subject, there would be a reaction, though unjustly, against the principle of the Bill. We should then, probably, retrace our steps, and there would be great difficulty in inducing the Legislature to adopt even a wholesome reform. For this reason I practically agree with my noble Friend near me to this extent, that I shall not be prepared to vote for any reduction, at present, further than to eleven hours. I think we stand in the situation of a physician who has satisfied himself of this, that there is a disease, and who has also satisfied himself of this, that there is a remedy; but who has not satisfied himself of this—of the degree in which the patient's constitution will at present bear that remedy. His course is evident; it is, to apply that remedy by small doses, and to watch its operation. That, I think, is the course it is our wisdom in this case to take. One single word, before I sit down, as to the question of time. My noble Friend near me seemed to think that the time was ill chosen. I must say that I am of a different opinion. We carried up on Monday to the House of Lords a Bill which, if our expectations are answered, will have the effect of raising the condition of the labouring classes, and of giving to the people of this country a very great advantage they have not hitherto possessed in their competition with foreign countries. It does seem to me that there could be no time more favourable for the transition we are now discussing, than the present. I must add, that I think it would be highly honourable to this House to make in one week, as far as is in our power, a reparation for two great errors of two different kinds; for, Sir, as lawgivers, we have errors of two different kinds to confess and repair. We have done that which we ought not to have done; we have left undone that which we ought to have done. We have regulated that which we ought to have left to regulate itself; we have left unregulated that which it was our especial business to have regulated. We have given to certain branches of industry a protection which was their bane. We have withheld from public health and from public morality a protection which it was our duty to have given. We have prevented the labourer from getting his loaf where he could get it cheapest, but we have not prevented him from prematurely destroying the health of his body and mind by inordinate toil. I hope and believe that we are approaching the end of a vicious system of interference, and of a vicious system of non-interference. We have just done what was in our power for the purpose of repairing the greatest of all the errors we have committed in the way of interference; and I hope we shall to-night, by giving an assent to the principle of this measure, take a step toward repairing another error—the error of neglect.

Sir J. HANMER concurred with the right hon. Gentleman in the opinion that they ought not to be so fanatical on the subject of free trade as to suppose that they were never to interfere for the purpose of conferring benefits on their fellow subjects. The right hon. Home Secretary (Sir J. Graham), however, pointed out, a

few days ago, the extreme difficulty of interference on the subject. They had been obliged to feel their way step by step, and at each step they had been made more sensible of the delicacy of the ground on which they were treading. They had already interfered with factory labour so far as to prevent young persons being employed in factories for a longer period than twelve hours a day. The question was not one of principle, but of time and degree. Many hon. Gentlemen said that some agreement ought to be come to between the masters and the workmen; but this Bill was not for that purpose; one of its clauses went to restrict the hours of labour to eleven, but there was another clause which went further, and he saw no security, if the Bill were read a second time, that they would be able to strike out that clause and limit the restriction to eleven hours. If the result of carrying the Bill should be to interfere with the profits of the manufacturer, it might interfere with the sort of houses that the manufacturers were in the habit of building for their workpeople. In many parts of Lancashire cottages had been built and were building of a superior description, in which the workpeople were able to live in comfort, and which were built for them by their masters. He doubted whether it would be a deirable result to interfere with the habit of the masters. He was sure that apprehensions would be entertained by the manufacturers of the possible results of carrying the Bill, and he should be very glad to see an eleven hours' arrangement; but looking to the general question of manufacturing employment, he thought he should better discharge his duty by suspending his consent, and, like the noble Lord the Member for the West Riding, by not supporting a Bill which many of its supporters said was only for eleven hours, but which would, there was reason to think, carry the restriction to ten.

MR. WAKLEY, after the eloquent, argumentative, and conclusive speech of the right hon. Gentleman the Member for Edinburgh, should address as few observations as possible to the House, upon the subject under discussion. He was surprised, however, he confessed, that hon. Gentlemen on that and the other side of the House, who had advocated unlimited factory labour on former occasions, did not jump up and contradict him when he sat down. Interference with labour had been deprecated. The whole system of social polity in this country was founded on interference. What was a Legislature for if it was not to protect the weak against the strong? It was an abrogation of their functions of legislation to decide they should not interfere. Everything was interfered with, in fact; and now, when the advent of free trade was close at hand, was it a time to lay down the principle of non-interference with the hours of labour? For the last forty years the manufactures of this country had increased under protection; but he confessed that it struck cold and chilly on his ear, to hear the Home Secretary state that the English labourer was from henceforth to enter the arena of toil without any armour, quite naked, and wholly unprotected. If he was to be told that in adopting free trade there should be no protection to the labouring classes of the country, he would not advocate it for a single moment. But he did not believe its adoption would produce that result; he believed, on the contrary, that it would give the Legislature power to interfere with more propriety and with far more effect, and make them better than ever able to carry out those principles which the right hon. Gentleman the Member for Edinburgh had so beautifully illustrated. The hon. Member for Sheffield had thrown out an insinuation against the hon. Member for Dorsetshire, which the hon. Gentleman had striven to repel. He admired very much the speech of the hon. Member on some points, because it showed a determination to improve the condition of the labourer; and the hon. Member would pardon him (Mr. Wakley) when he told him that the labourer in Dorsetshire stood in need of his benevolence. It was the bare truth. A more enviable lot a man could not have than the opportunity of relieving the wants and improving the condition of his poorer neighbours; and he only hoped that after the course taken by the hon. Gentleman in respect of the factory labourers that night, he would not forget the agricultural labourers of his own county. In other points, however, the speech of the hon. Member was what Hudibras called "rigmarole;" it was as perfect rigmarole as ever he had heard in that House. The hon. Member for Sheffield commenced by a misstatement of what he (Mr. Wakley) had stated, by saying, that because certain of his (Mr. Wakley's) constituents desired this Bill, he (Mr. Wakley) had given it his support. He assured the hon. Member nothing of the kind was the case. His constituents

did not trouble him (Mr. Wakley), as the hon. Member's did him; they left him (Mr. Wakley) to use his own discretion, and to do as he pleased—they left him to do so just as freely as if he had no constituents at all. The hon. Gentleman's constituents did not take that course, he suspected. The hon. Gentleman said he had received much instruction from the working classes, and that he had learned more from them than he had learned in that House. The hon. Member had certainly an extraordinary mode of showing it The hon. Member said he had read the excellent and sensible pamphlet of my hon. Friend behind me, but that he could not for the life of him understand it. His hon. Friend was not answerable for that. The hon. Member also declared that he had often listened with the utmost attention and pleasure to the arguments of the hon. Member for Weymouth, but that he never could understand their meaning. He (Mr. Wakley) was at a loss to understand what sort of a mind it was that listened with pleasure to an argument which it did not comprehend. The hon. Member then turned round to the hon. Member for Oldham, and exclaimed against spurious popularity, which, he said, ought to be scouted by every man, and said that he thought the hon. Member for Oldham was an amateur legislator on this subject. He thought he had heard something of the labours of the hon. Member for Sheffield in connection with the manufactures of the Eastern Counties Railway, where some crushed limbs and broken bones had resulted from his manufacturing skill. Now, the hon. Member for Oldham had been a manufacturer for nearly fifty years, and employed between two and three millions of hands. [*A laugh.*] He was thinking of the millions whom the hon. Member had sustained through the exercise of his skill, not of the number he had employed at once; and yet the hon. Member for Sheffield had denominated him an amateur legislator on that subject. How the hon. Member had the boldness so to designate the hon. Member for Oldham, he was at a loss to understand. He (Mr. Wakley) confided in the experience of the hon. Member for Oldham on this question; for he believed that he knew more of this subject than almost any man in the House, and possessed a sober and controlled judgment, elevated by the loftiest feelings of humanity. His hon. Friend behind him had stated in his pamphlet that there might result from the measure a rise in the price of a gown or of a shirt of a penny or halfpenny; and the hon. Member for Sheffield, like a second Cocker, placed the penny or the halfpenny in the one scale, and an infant in the other. Past experience had proved that the course which they had adopted on this subject was the right course; but it ought to be a source of infinite congratulation to the Members of that House who had participated in that legislation. The statement of the hon. Member for Oldham was undeniably true, that they had been interfering for forty years, and yet the increase of cotton goods had been five-fold. And he had challenged any one to dispute the accuracy of his statement that wages were as high now as they were forty years ago. [Mr. FIELDEN: Hear.] The hon. Member for Sheffield confirmed that. Had the House discovered, then, the exact point to which they ought to go, and that they had now arrived at it? They protected hares and pheasants; would they not also protect infant life? They visited men with penalties and a gaol, if they shot, took, or sold a hare without a license. They interfered with everything, and they could not do wrong if they interfered to protect these wretched persons who could not protect themselves. Did they intend to repeal the laws now in existence, or would they not rather go on until infants had an efficient protection? It was denied that they at present possessed it. The working classes in Yorkshire, in Lancashire, and throughout the kingdom, prayed for this Bill, and great weeping and wailing there would be in the western division of Yorkshire, when the speech of the noble Lord who represented it was read there. He did not expect such a speech, after the speech which was reported as having been delivered by the noble Lord at the last election there. There was one point that had not been fully touched upon—the mortality, the dreadful mortality, produced by the present system. Mr. Chadwick, in his last report on Manchester, quoted the report of the Registrar General, who said that in the whole of England, out of 1,000 persons, 145 reached the age of 70. In Manchester, out of 1,000 persons, only 63 attained the age of 70. Out of 4,629 persons of the labouring classes who died in the year 1840, no less than 2,649 died under the age of 5 years; above 5 and under 10 the deaths were 1 in 22; above 10, 1 in 43. The average age of death at Manchester, among the labouring classes,

was 17 years, while in Rutlandshire it was 38 years. The hon. Member for Edinburgh had dwelt upon the circumstance, that there were prior considerations to that of commercial prosperity: if there were not, they might cease their debates. He wished to call the attention of the House to the dreadful effects produced on the manufacturing population by withdrawing from the homes of the operatives the natural protectors of their children, viz., their wives. It struck at the root of all domestic happiness. They made a dirty, desolate place of the poor man's home, when they took it from its natural protector. Instead of going home and finding a smiling wife and a well-laid board to receive him, the labouring man took home with him his weary, exhausted partner, and they were both glad to retire at once to rest. In the morning they rose again at five, to be at the factory by six o'clock; and what became of the children during the absence of their parents? They were left in charge of some old and miserable harridan, who, in order to quiet them, resorted by turns to the birch and to stupefying drugs. He stated unhesitatingly that in pursuing this course of policy they were striking at the root of society in this country. They saw the effects of it already in the children, that out of 4,600, 2,400 died before they were five years of age. And what, he would ask again, could compensate the children of many a poor man for the loss of a mother? Could there be a greater calamity than the death of a mother? He appealed to hon. Members of that House. He had not the slightest desire to raise any unpleasant feeling against any party; that was not his object; but he wished to bring the effects of this calamity before their minds, because his mind was impressed with its importance, although theirs might not be. He appealed to hon. Members, to ask themselves what could be more important to children than the loss of a mother? Whenever they saw a thrifty family, one governed by good conduct, and actuated by good motives, it always indicated that a good mother, and not a bad mother, was there. A mother—whom you destroy by the present system—she has every motive for making home comfortable, for making it a paradise. All her hope of happiness is centred there. She cannot, like the man, enjoy herself from home—at least she cannot with propriety. The customs and the habits of society forbid it. Her home is her temple of hope in this world; and now you destroy it and make it a scene of desolation, by requiring that she shall perform in a factory the duties of a man, and leave her children to the care of persons who can exercise over them no maternal sympathy. He did hope that these observations would have due weight with the House. He was sorry he had been obliged to compress them into so small a compass as hardly to be understood. He had thrown them out as hints rather than as an expansive argument applicable to the peculiar circumstances to which he had referred; but he was thoroughly persuaded that no subject could engage the mind of any Legislature of more importance than that of taking care that the poor man's children should not, if possible, be deprived of the protection of a mother. The right hon. Gentleman the Member for Edinburgh, who had made so able a speech that night, had stated that on going into Committee on the Bill he could not extend the period of interference beyond one hour. Well, one hour was better than nothing. If he could not get a Ten Hours' Bill, he would cheerfully vote for one of eleven, as a step in a good direction. He knew not what the decision of the House would be; but he knew this—that a more important question could not be before it. The feelings of thousands and hundreds of thousands were at this moment excited on the subject; and all that he prayed, in conclusion, was, that the decision of the House would be such as to give them life and health, and future encouragement.

MR. BRIGHT said, there was one observation made by the hon. Member for Finsbury in which he entirely concurred —and that was, that this was about the most important question which this House or any Legislature could be called upon to decide; and it was because he (Mr. Bright) held that opinion that he ventured at that very late hour, after so much had been said, to rise and offer some observations to the House for the purpose of stating some things which he believed were much more true, and a much more exact representation of that which existed in the manufacturing districts of the north of England, than the House had heard from the promoters of the Bill either to-night or on the other night when it had been debated. He had listened to the speech of the right hon. Member for Edinburgh with considerable astonishment. He confessed he was apprehensive when the right hon. Gentleman rose

that he was about to damage the side which he (Mr. Bright) took on this question. He said this with perfect sincerity; and he had never heard any Member get up and make a speech more wide of the question which was before the House. They had both ancient and modern history — they had statements from various countries — they had religious considerations—and they had a lecture on the institution of the Sabbath. They had free trade caricatured, as he should have expected to have heard it caricatured by a man who had not opened his mouth during the last three months in which free trade had been debated in that House, and who had been induced to support it at all only after very great compulsion from his constituents at Edinburgh. The right hon. Member had told them about everything except about the manufacturing districts. Why, they all knew that the Sabbath was a day on which men did not ordinarily work; but there was no analogy or comparison between the cases stated by the right hon. Gentleman. There were no mills in any part of the world worked on the Sabbath. Men had discovered that it was necessary and wise to observe the Sabbath, and they all did observe it, so far as the manufacturing operatives were concerned; but they had not all come to discover the necessity of a Ten Hours' Bill, and that was the present question before the House; and surely it was a matter worthy of some consideration that every other country in the world in which manufactures are established tolerates a longer period of working than that now allowed in this country. With respect to the Sabbath, all men and countries were equal, at least as far as manufactures were concerned; but with respect to the time of working in mills, the House could legislate for one country only; and surely it was not unimportant in these circumstances to consider the competition they were likely to meet with from foreign countriess. It was important, when any measure was brought before the Legislature, to have a clear understanding of the arguments and grounds upon which it was brought before them; but he had observed with respect to this question, the arguments and facts were constantly changing. The right hon. Member for Edinburgh had alluded to what he supposed the right hon. Gentleman considered a fact, that was, the excessive mortality in the manufacturing districts, the enfeebled bodies and broken spirits of the operatives; and the hon. Member for Finsbury had produced statistics from a book by Mr. Chadwick to show how many people died in Manchester; but if the hon. Member had acted fairly, he would not have alluded to what took place in Manchester, but in some other town, not a manufacturing one, where the population was as great as in that town. If he had taken Liverpool, for instance, he would have found the mortality greater than in Manchester; and if he had given the mortality of Leeds, it would have appeared frightful; but if he had given that of Bristol, it would appear still greater than that of Leeds. Well, this showed that the argument of the hon. Member was not worth a straw for the case then under consideration; and if the hon. Member had looked a little further into statistics, he would have found that longevity in the manufacturing districts of Yorkshire and Lancashire had been increasing for 150 years past, and that in Leeds the average rate of mortality, instead of being higher, was considerably lower than in 1801, when there were scarcely any factories in the town. Then, with respect to health, he would not trouble the House at that late hour with the minute statements of figures which he had prepared; but he might state that it was upon record, and perfectly undeniable, that the average rate of sickness in factories was not so large as the average calculated upon by the friendly societies of England. He (Mr. Bright) recollected, on one occasion, hearing Lord Ashley make this extraordinary statement—that, having paid a visit to the infirmary at Manchester, he was astonished to find how much scrofula prevailed, and that nearly all the cases were factory cases. A statement more opposed to the truth was never made in that House. He appealed to the hon. Member for Finsbury, who belonged to the medical profession, whether, if there was anything more than another calculated to act as a specific in this frightful disease, it was not the warmth and dryness which existed in the manufacturing establishments in the country. [The hon. Member referred to various medical authorities in proof of his assertion.] Another statement which was made to the House was the excessive labour in factories; and the hon. Member for Oldham was regarded as a great authority in these matters. He acknowledged that the hon. Member was the senior partner of the largest cotton concern in England, and had been connected with the trade longer than any man in the House; but every one knew

that a man might go on for a very long period and be very flourishing, and yet be in a state of profound ignorance of matters not immediately appertaining to his own business. Did any one suppose that a man must know a great deal of political economy because he had a large factory or a large farm? The hon. Member for Oldham said that Lord Ashley's statements were before the House, that no Member of the Government had contradicted them, and therefore he would not repeat them. Lord Ashley, two years ago, stated that children between nine and thirteen years of age, and young persons from thirteen to eighteen, walked a distance of from twenty-two to twenty-seven miles a day in following the machine called a mule. Why, the thing was impossible, and the fact of any man making such a statement in that House was sufficient to condemn him as an authority upon that or upon any other subject. It was proved on the evidence of not less than 400 firms, who had no kind of communication with each other whilst the experiments were tried, that the extreme distance which any person could travel in one day following the mule was twelve miles; that the least distance was about four; and that the average could not be estimated at more than eight. The same noble Lord had made other statements quite as extraordinary and just as contrary to the fact. He would admit that the hon. Member for Oldham knew a great deal about cotton-spinning; but he must protest against the House taking his opinion without examination upon any question of political economy. The hon. Member for Sheffield referred to a pamphlet written by the hon. Member for Oldham a great many years ago; and in that pamphlet he expressed his regret that we went on more and more exchanging our cotton manufactures for foreign produce every year: he says that we gave two pieces for the same quantity of goods now, for foreign produce, for which we formerly gave only one piece; and that if by any mode of arrangement with foreign countries, we could limit our productions to what they were twenty years before, we should be getting from the foreigner quite as much of his produce, whilst we gave only half of what we now gave of our own. He had a perfect recollection of that pamphlet being published by the hon. Member for Oldham. [Mr. FIELDEN: I contradict it flatly.] But if the hon. Member did not admit that in his pamphlet, he did the same thing or thereabouts in that House. Did the hon. Member think that there would be no diminution of production? Did he mean to say that single machine, called a carding engine, or a throstle for spinning yarn, could produce as much in ten hours as it would in twelve? No such thing. [Mr. FIELDEN: The number of machines could be increased.] But that would cause a greater expenditure of capital. Why, then, the hon. Member's political economy came very much to this, that by increasing the expenditure of capital in the country, they would, by adopting this measure, produce the same results as at present. The hon. Member said there could be the same amount of profit to the owner, and the same amount of wages to the workman. But if the capital were the same, and the labour were diminished, is would be impossible that the owner of the capital or the workman could receive the same amount of profit and wages as at present. Now, with respect to that diminution, what had been the result of the experiments made, as he thought the hon. Member for Oldham would admit, in the fairest manner? He alluded to the experiments on the one hand of Mr. Horrocks at Preston, Mr. Greg at Manchester, and Mr. Eccles at Blackburn? The whole of these cases were brought forward by men as respectable as the hon. Member for Oldham, who stated them on their character and honour, and he believed their statements to be true. On the other hand, they had Mr. Gardiner's experiments; and, in the first place, he asserted without any fear of contradiction by Mr. Gardiner, that, in his experiments, the machine at his mill was made to move faster in the proportion of one to fifty, and that a quarter of an hour was gained by it. He had it on the authority of Mr. Gardiner himself, and of Mr. Horner, the factory inspector, that as much as that was gained by an increase in the speed of the engine; and that several minutes were gained which before were not cared for in meal time; and by these means there was something like an approach for a time to the quantity produced before. If he did not know that a great majority of that House knew little of cotton-mills, and that half the Members opposite had never been inside of one, he would not dwell upon these facts: for it must be clear to any man who had any knowledge of these matters, the exact amount of yarn or spun cotton turned out by any machine,

was in proportion to the number of the revolutions of the roller. To attempt to persuade the public that one machine working ten hours could produce as much as one working twelve hours, because when the workmen engaged with it were not working so long they were less fatigued, was out of the question; for he assured the House, on the experience of many years, and the hon. Member for Oldham could not deny it, that as far as regarded the greater proportion of the mills in the cotton trade, whether they worked twelve hours or ten hours, they would turn out precisely the same proportionate quantity. He spoke of the machinery, which in ten hours would only turn out ten-twelfths of the quantity it would turn out in twelve hours, and not one inch more; and that no power of legislation in that House, or any thing else, could alter that state of things at all. He asked the House then to consider what they were called upon to do. The hon. Member for Oldham said that we now consumed 532,000,000 lbs. of cotton, and that was his great argument why we should cut off one-seventh of the quantity. What then would be the result of passing this Act? That we should immediately lessen the consumption of the raw material, and that we should diminish our trade to the amount of 76,000,000 lbs. a year; that was about equal to the whole amount of our cotton trade at the conclusion of the war, and exceeded two-thirds of that of the United States of America. Calculated in bales, it amounted to 228,000. Was there any man in that House who was sane, or any man anywhere who was sane, and who, when he considered the enormous interests connected with the working up of those 228,000 bales of cotton in one year, would dare vote for the passing of this Bill, which at once or twice cut off that amount of production or consumption? There never, he believed, was proposed a measure so dangerous, so destructive, so certain to be violated by all those persons who were connected with the trade with which they were going to interfere, as this. The hon. Member for Oldham said—and it was the argument of a great many, of the right hon. Gentleman the Member for Edinburgh amongst the rest—that they had legislated in past times without mischief, and therefore there was no harm in this measure. That was a gross misrepresentation of the facts. He should like to ask the hon. Member for Oldham how long for twelve hours together he had worked his mill? As far as regarded the concern with which he was connected, he had never worked for more than twelve hours a day. He did not pretend to the humanity of the hon. Member for Ashton-under-Line, who for a long time, he believed, worked his mill for fourteen hours a day. He had no doubt that the hon. Member had a most excellent reason for what he did then. However, he had since changed his opinion, and a late repentance was better than none. But upon the question of time, he believed that fourteen or fifteen hours never were the rule in the trade, and when Parliament passed a law limiting the hours of work to twelve hours for all persons under 18 years, it was no real limitation; it was but bringing the law —there being none before—to fix that which public opinion and the interests of trade, both for the millowners and for the workpeople, had already fixed. It was only attempting to mislead the House to say that, because the number of hours was limited to twelve, they might lessen it without mischief; and when a person asked the House to pass such a measure as this, he ought to be better prepared with facts than those which the hon. Member for Oldham had stated, which any man acquainted with the trade could overturn. Again, it must be borne in mind that if they limited the trade in former years without injury, the circumstances then were not the same as now. There was a larger margin for competition than at present; and he could assure the House that at that moment there were thousands of men and women employed in the cotton factories of Lancashire who generally received higher wages than they did before, when the employer had not one single sixpence of profit. The hon. and gallant Member for Lincoln must be intimately acquainted with everything connected with the cotton trade. The hon. and gallant Member had a great deal to be thankful for. There was a great number of establishments working without any profit; and what would they do if this law passed? ["Oh, oh!"] Hon. Members called "Oh, oh," and the noble Lord the Member for Lynn expressed himself very eloquently because certain persons in the cotton trade had made great fortunes. He hoped it was not a crime to make a fortune in the cotton trade; but if the noble Lord would look into the *London Gazette* for three years, he would find many failures; between 1839 and 1842, one-half of the

cotton manufacturers of Stockport were wholly ruined, and parted with their property. Those who possessed the best machinery and showed the best management, could get money; but others not so well circumstanced could not live: besides there was a less margin now for profits, there was a fiercer competition with foreigners. If they did formerly limit the labour to twelve hours, it was when improvements could be made in machinery. Those improvements had been made, and it was every day apparent that the improvements mentioned could no longer be carried on; and if they brought down the number of hours from twelve to ten, and so prevented the trade from being carried on, and the competition with foreigners, would they not be making a very hazardous experiment? He was now about to mention the character of the agitation out of doors. He thought that he was entitled to speak with some authority of the opinion of the working classes. He employed about 800 of those for whom hon. Members wished to legislate; he was surrounded by them; and when he was at home he was in constant communication with them. There was no doubt they were actuated by the same feelings as hon. Members, that ten hours' work was better than twelve. He and they were agreed about that; but he believed that if it were put to the workmen whether they would have ten hours' work and ten hours' wages there would be nothing approaching to a majority voting in favour of the change. In several cases the offer had been distinctly made, and as distinctly refused. He believed in no case had the hands in the mills asked that a change in the hours of labour, accompanied by an alteration of wages, should be made. He would make the change to-morrow in his own mill if his workmen asked it. But he knew if he did so, that if trade were flourishing, the workmen would go up the vale of Todmorden, and obtain work for 12 hours from the hon. Member for Oldham. If it were true, as that hon. Member stated, that there would be no less production, why did he not try the reduction in the number of hours? If the competition with the foreigner would stand the same—[Mr. FIELDEN: The home trade]—the home trade would not make any difference. He lived within ten miles of the hon. Member, and the Swiss and Americans met both at the same counter, and the hon. Member had not adopted the reduction. The noble Lord the Member for Newark said that workmen could do with a reduction of wages. He admired much that the noble Lord did; he would be glad to see the workmen, playing cricket, and, if they liked it, climbing Maypoles. But he assured the noble Lord he never made a greater mistake than that the operatives were willing to accept a reduction of wages. If they judged by themselves, they would not expect any such willingness. Let them take a legal gentleman, or any one else who occupied himself in an honest way to gain an honest livelihood, and he was sure that no one would be found willing to take ten briefs instead of twelve, and ten fees instead of twelve fees. It was the same with the operatives; they liked more money, and they would have more comforts — a larger room, a better garden, and a journey by the railroad. They liked money as much as other parties, and they would have it, if it could be obtained by honest industry; and they would consider the House of Parliament their great enemies, if they by the law tied their hands for two hours, and took two hours' wages from them. Hon. Gentlemen professed that they went in harmony with the working class. He denied it. The workmen were for ten hours' time, but not for ten hours' wages; and he was prepared to contend that ten hours' time never could yield twelve hours' wages. The workmen and hon. Gentlemen then were not in harmony; and if this Bill were passed, it would cause, in the first place, an extraordinary delusion, and in the second place a fatal disappointment. Then they were asked to compromise. The hon. Member for Ashton-under-Lyne (Mr. Hindley) was the very man to make an experiment for a compromise. The hon. Gentleman having employed his own workmen fourteen hours, was for now trying eleven and a half; but if they passed to that, or to the eleven hours which the right hon. Gentleman the Member for Edinburgh recommended, would this not be the best argument for the working classes to say, that the Legislature could limit the hours of labour without any material diminution of wages? They might thus go on from eleven hours to ten, and from ten to eight, which was, he believed, the point at which the hon. Member for Oldham expected soon to arrive. The hon. Member's brother, Mr. Thomas Fielden, in a speech to the workmen, had said, that he had been long connected with the cotton manufacture, and during that time, he, and the parties with whom he had been

connected, had been friendly to a Ten Hours' Bill. If they had had it twenty years ago, the agitation would have now been for an Eight Hours' Bill, and he trusted they would ultimately get it. If the hon. Member for Oldham, and his worthy, excellent, and mistaken brother, had persuaded the workmen that they could go from eleven hours to ten, and from ten to eight, without any diminution of wages; and if the House passed this Bill, would not the labourers follow the leaders who had been so successful, and go on to an Eight, or ultimately to a Six Hours' Bill. He believed that there were two points on which the House was agreed. The one was, that ten hours' labour was better than twelve, and the other that the ten hours would be best brought about by a voluntary instead of a legislative arrangement. An opinion had gone abroad that such an arrangement was not possible; but who knew that it was not? The men who had led the ten hours' agitation had not tried it; they had always pointed to Parliament for an arrangement. He believed, however, that a voluntary arrangement was possible, and that it would be come to within five years. There were symptoms that the masters and the men were disposed to make voluntary arrangements—in the shutting of the warehouses in Manchester almost universally on the Saturday afternoon, thus giving the workpeople a half-holiday; and in the early closing of shops in the evening, which was going on, by voluntary arrangement, almost throughout the kingdom. Let it once be known that that House would not make the hazardous attempt to interfere, and the working classes, instead of looking to the Legislature, would seek their objects through very different channels: they would seek by private arrangement with the masters to obtain this boon which they desired, and which he (Mr. Bright) admitted they ought to have by some means or other. ["Hear!"] Why, hon. Members cheered as if the master manufacturers were the friends of long hours, and they were the only humane people. It was notorious that the master manufacturers were now a more civilized class than they were twenty years ago. Throughout society a great change of feeling had taken place. Look at the treatment of children, apprentices, soldiers, sailors, and it would be found that a greater gentleness and a wholly different tone was growing up everywhere. He could tell hon. Members that the same spirit prevailed among the masters. Those tales about "billy rollers," and the ill-treatment experienced by workers in factories, were all gone by. There was a greater *esprit du corps* among the workpeople; they worked more in families, the parents in the same room with their children. He (Mr. Bright) was sorry to differ with hon. Gentlemen; but he must be supposed to know something of the facts, and he was bound to state what he knew. He repeated, that a great change had taken place, and no overlooker would dare now to perpetrate those cruelties which were at one time said to be practised. Two years ago he opposed this measure, as he did now, because he believed it to be injurious to the working classes. Most of their evils arose from legislative interference. Parliament was now called on to recur to the errors committed by their ancestors some 200 or 300 years ago, and which had been abandoned because they were found to be so injurious. Again, he asked, could it be supposed that the masters would find it to be their interest to be in hostility with the great masses among whom they lived? The strike of 1842 had been referred to by the hon. Member opposite. Why, that proved what he had just advanced. Were not the masters as safe during that strike, although whole districts might almost be said to be in the hands of the workmen, as he was in that House? The working men scorned the idea of raising a hand against the capitalists, or a torch against the factories in which they were employed. That strike was more a political than a wages question. The people were brought to the last point of endurance; so that their condition was a scandal to the Government and the Legislature. But their efforts were not directed against the manufacturers. He could tell the hon. Member for Knaresborough that he opposed this Bill because it went on a wrong principle, and tended to spread a delusion among the working classes. And he believed that when the free-trade measures of the Government were carried out, and the manufacturers became actuated, as they would be, by feelings more and more kindly towards their workpeople, all that they could hope to achieve by the Bill would be attained by voluntary arrangement, and without the mischief that invariably attended the interference of the Legislature in such questions.

Mr. B. DENISON said the real question before the House seemed to have been

misunderstood by many hon. Members who had spoken. The Legislature having already interfered on various occasions, the question now was whether they should not go one step further. The proposal of the hon. Member for Oldham was that the House should go into Committee on this Bill, to see whether or not the hours of labour should be still further shortened. The hon. Member did not absolutely propose the reduction to ten hours—that would be premature in the present stage. He should not be prepared at once to vote for ten hours in Committee; that he conceived would be much too direct a step in the reduction of work. He thought, rather, it was for them to consider whether eleven hours would not be a better time to fix on. They had to consider the case of females between thirteen and eighteen years of age, whether they should be virtually compelled to work twelve hours a day. He admitted that any such alteration as that proposed might indirectly affect the adult population, which he should regret; but at the same time they were bound to consider the moral and physical condition of the rising generation. His noble Friend, (Lord Morpeth), who appeared to him really to have made the best speech for, rather than against the Bill, had said, that if the Corn Bill were passed, then the hours of labour might be reduced. Why, the noble Lord, even if he allowed this Bill to go into Committee, would still be able to act as he thought fit on the third reading, by which time the fate of the Corn Bill would be decided. But he contended that they ought to reason as if the Bill had already passed—they ought to assume that it would be carried in the other House. Of course he knew that that might not be its fate; but it had been sent up by a majority of 98, and they were for the purposes of the argument bound to suppose that it would receive the sanction of the House of Lords. The manufacturing population, whether right or wrong, had set their minds on some Bill such as that before the House. They unanimously prayed for an alteration of the law. They might be mistaken; he did not believe they were, but he was thoroughly convinced that it would be a severe disappointment if the House objected to let this Bill go into Committee. He should vote for the second reading.

SIR R. PEEL: I shall detain the House but a very short time; but the importance of the subject is so great, that I do not wish that we should go to a division upon it without having the opportunity of saying a few words, at least, on the subject. I have listened this evening to the speech of the right hon. Gentleman the Member for Edinburgh, as I always do, with very great attention and satisfaction, so far as that speech was a rhetorical composition; but with all respect for the right hon. Gentleman, I must say that that part of his speech which was put forward as an argument for the change now proposed, was in my estimation exceedingly limited. The greater part of the right hon. Gentleman's speech was directed to prove this proposition, that the principles of free trade ought not to control our legislation, provided that, by our interference, we can promote the social comforts, the health, and the morality of the community. Well, but what has that to do with this question? This part of the right hon. Gentleman's argument was addressed to about ten Gentleman in this House—if there be, indeed, ten Gentlemen in the House—and I believe there can be no more—who insist that the pure principles of free trade must necssarily regulate our legislation in such matters as the health, the education, and the morality of the people; and therefore that portion of the argument of the right hon. Gentleman, by which he sought to show that the Legislature ought to interfere with respect to the labour, the health, and the comfort of the community, in that we had, for instance, so interfered when in one Act we enforced the widening of streets, and then compelled builders to make drains—all that part of his argument was addressed to us on a point which we do not dispute; because we concede to the right hon. Gentleman that his position is already established. But the right hon. Gentleman pursues this course, in a manner which is calculated to win for him many supporters. He connects his argument with numerous illustrations. Every one will say, that is very ingenious, and it is conveyed in such beautiful language, that all who hear it will be disposed to transfer their admiration excited by the language and the illustrations to the argument in favour of which they are employed. The right hon. Gentleman having laid down an undisputed position, went on to illustrate it by a reference to what occurs with respect to the regulation of hackney cabs; and he proved to the satisfaction of every man who was not con-

vinced previously—he showed to the perfect satisfaction of every one who listened to him, that there ought to be such interference. This he did in perfectly plain language. In his argument and his illustration as to omnibusses and cabs, he showed that we interfered with the principles of free trade when we prevented the one from being overloaded, and when we would not allow the hackney cabman to take advantage of a shower of rain by overcharging, nor by taking more passengers. If any man remained still unconvinced, the right hon. Gentlemen was determined in succeeding in bringing home conviction to his mind; for the right hon. Gentleman, determined not to let a loophole escape, even went to show that the Legislature would not allow a boy, not more than thirteen years of age, to sign away his inheritance; and that on the whole the Legislature was justified, even though it did not interfere with the principles of free trade—that in such a case the Legistature was not to blame in preventing a boy from signing away his inheritance. Now if any man in this House was disposed to contest that principle, he must have been convinced that the Legislature was justified in interfering to protect the health, to guard the interests, and promote the morality of the community. Therefore, do I say, that the whole of that part of the argument of the right hon. Gentleman was perfectly conclusive. But, then, I think, that such an argument is entirely beside this question. Then it is said the Legislature is not justified in imposing a tax upon labour, by preventing, indirectly, the adult from employing his labour for more than ten hours a day? And now, to show the right hon. Gentleman how needless, how perfectly needless, it was for him to establish his proposition, I beg to remind him what is the state of the law at the present moment? Sir, it is too late for me now to contest the principle, excepting with those who would recede from the legislation and who would retrace the steps which this House has already adopted. I do not think there is any one Member disposed to do that. I, at least, am not. It is now thirty years since I took an humble part, in co-operation with one for whose memory I must ever entertain the highest respect, in violating the principles of free trade and in regulating the hours, and in preventing the abuses that might arise in the employment of infant labour. And here I may observe that our main object —the main object of us all, whether he be for or against ten hours' labour—with us all the main question is, what, upon the whole, will be for the advantage, the comfort, and the happiness of the labourers? I believe, Sir, I say, that that is the main object with all who take part in these discussions. But what is now the state of our legislation on this subject? It is this —that no child under eight years of age should be employed in our cotton factories; that no child under eighteen years of age can work by night; that no female can work by night at all; that no child between the age of eight and thirteen years can work for more than six hours and a half; and that a certain number of hours in each week shall be devoted to the instruction of such children. That is our legislation at present. It disposes of the main argument of the right hon. Gentleman—it admits the whole of his preliminary principle. But then the important part, and the less conclusive part too of the right hon. Gentleman's speech is, whether it would be for the advantage of the working classes further to restrict the hours of labour? I admit that mere commercial considerations should not prevent us. I admit that higher considerations than mere pecuniary advantages ought to guide us; but our consideration, I say, ought to be whether further restrictions on labour can promote the health, the morality, and the comforts of the working classes? These are the higher considerations that ought to influence us. One admission was made by the right hon. Gentleman. There was one thing which he totally repudiated. The right hon. Gentleman says, "Make what regulations you please with regard to infants, I admit they are like the boy about to sign away his inheritance; I admit, though they are under the control of their parents, that masters may take advantage of their years. But," says the right hon. Gentleman, "this I will not willingly do with respect to the adult, whose capital is his labour, who is of sane mind and mature age. I will not commit towards him the injustice of restricting his discretion as to the employment of his time." But that is just what you are about to do, not directly: you feel the injustice to be so great that you won't do it directly. But with regard to adult labour employed in the cotton, linen, woollen, and silk factories, you are about to impose what is equivalent

to an income tax of 15 per cent on the labour of the adult. You are going to tell him, "You shan't have the opportunity of labouring for more than ten hours, whereas you have hitherto been obliged to labour twelve hours:" and do you believe, if you really establish that restriction—do you concur with the right hon. Gentleman in the belief that, for ten hours' labour, the operative can receive twelve hours' pay? "But," says the right hon. Gentleman, "see of what importance it is to the community that the working man should have some command over his time; see what the Englishman has done; see what the natives of the United States have done with Anglo-Saxon blood—they have cleared the forest and reclaimed the sterile land; see what the Dutchman has done, in recovering from the dominion of the ocean that which was overwhelmed by the waves." Well, but how was all this accomplished? By restricting them to ten hours' labour? Did you tell the Dutchman who has reclaimed a kingdom from the sea, "You shall only work ten hours a day?" Did you tell the American who supplanted the red man, "There shall be some legislative restriction on your hours of labour?" Has that hitherto been your policy? "See," says, the right hon. Gentleman, "how much you are indebted to the ingenuity of working men for the improvement of your most beautiful machines!" The right hon. Gentleman says it has not been to the philosopher, it has not been to the great mathematician, it has been to the working man, that you have been indebted for the most wonderful improvements. He says that Adam Smith, in the first chapter of his work, makes this remark. Well, be it so; but how have these improvements been made? Were they made under a state of restricted labour? When Hargreaves invented, when Crompton improved, when Arkwright contrived, had a law passed preventing them from labouring more than ten a hours a day? The right hon. Gentleman says, "See what advantage it would be to the working man to have his intellectual faculties sharpened, not being doomed to constant labour." Well, but these inventions were made by men with whose discretion as to the amount of labour, you had never interfered. Now, I do contest the principle of the right hon. Gentleman; I believe it is infinitely more likely that their ingenuity will be exerted, if you will leave the working men to apply their time and their labour as they please. "We whet and sharpen your ingenuity by telling you that, in the hour of strength, by devoting your hours to labour, you shall derive all the benefit from it; if you choose to work fourteen hours a day, you are at liberty to do so, and to elevate yourselves in the scale of your fellow countrymen by the exercise of your ingenuity, and the employment of your unrestricted labour." All experience is in favour of it; on the right hon. Gentleman's own showing, it is by the absence of interference with adult labour that all our beautiful machines have been brought to perfection, men's ingenuity having been stimulated by the hope of gain. If you are about to adopt a new system—if you hope by it to leave men's minds freer to the continuance of toil—if you think you will by that means enable them to devote more time and ingenuity to the exercise of thought—if that is your speculation, in my belief it will be entirely delusive. I think there is an infinitely better chance of a continued improvement from the absence of restriction, than from any attempt to restrict the powers of labour. Therefore the instances the right hon. Gentleman gives in favour of restriction tell against, rather than in favour of, his proposition. It is said we ought to consult the wishes of the working classes themselves. Now, can we have a doubt their impression is, that through your legislation, though it may limit the hours of toil, yet they will, by some means or other, secure the same amount of remuneration? How can you deny that such is their impression? You may say that it is a matter of speculation; but how can you account for this fact, that when Mr. Greg, finding that working his machinery for eleven hours turned out one-twelfth less work than working the same machinery for twelve hours, and when he made a distinct proposal to his men to work the machinery eleven hours, but instead of paying them for eleven hours, he would pay them for eleven hours and a half, and that he would take himself the loss of the remaining half hour—did they consent to that proposition? They unanimously rejected the offer. Their impression is, if you impose this restriction, they shall, in some way or other, receive the same amount of remuneration, without having to devote twelve hours to continued labour. I believe, if you could effect the reduction of the hours of labour by amicable arrangement between the masters and labourers, it would be infinitely more advantageous than doing it by compulsory

obligation. How easy would it be to impose by law the obligation not to work a minute beyond ten or eleven hours, providing for the various cases in which it might be desirable for a week or a day to labour for an hour more than the specified time; but leave such an arrangement to voluntary agreement between the parties; and how infinitely more likely would it be to conduce to an amicable understanding, than to fetter both by prescribed rule? By legislating you are cutting off the hope of effecting an amicable compromise; and why should there not be that amicable compromise? It is said that eleven hours' labour would turn out as much as twelve: that was generally said up to the time the experiment was made; it was said by men in favour of the eleven hours: but it was found that the work was only proportionate to the time, and it was impossible to sustain it. I, therefore, with sincerity deprecate all interference on this subject. I am against interference, and particularly against interference at the present time. When I say that, observe that I do not withhold the truth. I cannot pledge myself to support such interference at a future time. I think we have gone as far in this interference as we can with safety. I am inclined to give a full and complete trial to what we have done already, coupled with the important changes in our commercial system which are under consideration. But if you interfere, do not suppose that you will give universal satisfaction. If you establish the principle of interference with adult labour, other parties who are trying to effect the same thing by amicable arrangement will say—"Apply the same principle to us; do not talk of factories, do not say there are peculiar facilities for imposing these restrictions in factories; show that without undue interference, without domiciliary visits, without the necessity for the common informer, you cannot interfere with our labour." Here is a letter I received the other day. It is the respectful memorial of the operative bakers. After establishing the principle, tell me how you can resist such appeal as this? It says—

"Your memorialists are suffering unparalleled distress in consequence of the unprecedented low rate of wages and the present high price of provisions; that such are the sufferings and misery of the operative bakers throughout the country, that they labour eighteen hours out of the twenty-four; that the average weekly earnings of the best workman is only 9*s.*, a sum totally inadequate for the support of a single man, much less of a helpless family. These are facts; and your memorialists leave you to judge of the absolute necessity of protection."

Now, this is a strong case. It would be possible to substitute the labour of two men working nine hours a day, for one labouring eighteen. I do not know that it would be impossible by legislative enactment to prevent this severe tasking of human strength. And why should you not interfere with respect to them? Are we quite sure, looking at the question in a moral point of view, that these restrictions on factory labour will not add to the pressure of labour in other occupations—that there may not be competing trades exempted from your regulations to which you will give a premium by these factory restrictions? The hon. Gentleman the Member for Finsbury made an impression on the feelings of the House, which it is so easy to do, by describing the importance of a man's wife to the happiness of his home; he says it is of the utmost importance that the wife should have leisure to prepare the well-spread board to welcome her husband on his return home. Why who can doubt it? But what is the remedy for the present evil? It is to prevent the wives from labouring in factories. It is to prevent wives from labouring in factories at all. Eleven-twelfths of the present evil will exist after this Bill shall have passed. Who can doubt the importance of the wife devoting her attention to domestic duties? But the only way to insure her continued attendance at home is to prohibit her working at all. But does it not more conduce to the comfort of a family that they should have large wages? The other hon. Member for Finsbury, from the most pure and benevolent motives, brought in another Bill last night on this subject; and I hope the lesson to be derived from that Bill will not be lost on us. He wanted to restrict labour in lace factories. What was it necessary to do? In order not to give a premium to labour in private houses, he found it necessary to subject domestic labour to restriction just as severe as that in factories. Are hon. Gentlemen sure that by establishing strict regulations with respect to adult factory labour, you will not give a direct premium and encouragement to labour of a still more oppressive kind in establishments beyond your control, and that you will not by your own unwise restrictions defeat your own benevolent intentions? On these grounds I must resist the second reading of this Bill: my arguments are founded on

a sincere belief that we have carried interference as far as it is desirable. There may be others who do not concur in that, but surely many will feel that this is not the moment in which it is wise to make such a great experiment. Why, what an experiment it is! With respect to the four great branches of your manufacture which enter into competition with other countries, you are asked to pass a law that shall cut off by one-sixth the labour, and I believe the produce and remuneration, of that manufacture. You have permitted the export of machinery—not from any principle of free trade, but because, in point of fact, the prohibition was useless. You could not prevent the plans of machines and parts of machines from being taken out of the country, and therefore you thought it better to encourage trade in manufacturing machinery, than have an illicit and smuggling trade in it; but you have thus given foreign countries the opportunity of benefiting by your skill. You have passed a law also, the object of which is to insure the public against a sudden and extraordinary rise in the price of corn, and to give them an opportunity of obtaining a freer access to the necessaries of life. But observe that this law does not come into full effect for three years, supposing the Bill passed in its present form by the House of Lords. Not until the 1st of February, 1849, will there be a free trade in corn; for the intervening period some restrictions will still remain. At the same time you have removed protection to domestic manufactures; and upon this ground, because of the period at which this is fixed, it would be good policy to give a longer trial to that experiment which you have already made. You already prevent the employment of any children under eight years of age, or under thirteen years of age, for more than six hours and a half a day. On these grounds, therefore, I do respectfully entreat this House to refuse its assent to the Bill of the hon. Gentleman; I entreat it to permit a fair opportunity of effecting a desirable arrangement for the reduction of the hours of labour by voluntary agreement between the masters and the employed; and, above all, to postpone this irrevocable step, for irrevocable I think it will be, until you can, with more certainty than at present, draw a conclusion as to the effect of your measure.

LORD J. RUSSELL: Sir, I am sorry to detain the House at this late period of the night; but I should be very unwilling to go to a division on this question without taking some notice of the answer of the right hon. Baronet opposite to the observations of my right hon. Friend the Member for Edinburgh. And I do so because a greater fallacy than that reply of the right hon. Gentleman, I think I never heard. The right hon. Baronet says, in the first place, that the argument which my right hon. Friend stated so well and ably, and illustrated so fully, was perfectly unnecessary; that there are not ten men in the House who will not agree with him; and that his illustrations, though beautiful, were quite unnecessary. But that argument which my right hon. Friend opposed, is the popular argument on this subject—that you ought not to interfere with the rights of labour—and that the whole subject is a question of political economy, by which alone it is to be decided. My right hon. Friend, as I think, showed most convincingly that there are reasons for interference with labour, and that you have wisely acted on those reasons already. He says—and says truly, as I think—that he cannot, and this House cannot, take the ground which the objectors to this Bill take; for that the House has already sanctioned Acts by which the duty of interference is recognized. Sir, those Acts are before us; and they bear the names of Sir R. Peel, of Sir J. Hobhouse, and of Lord Althorp. They are on the Statute-books of the realm, and I think they do preclude any one from arguing that there ought not to be any interference with labour, unless he is also prepared to argue that those Acts are vicious in principle, and ought to be repealed. But the right hon. Baronet, having made this admission, turns round and says, this Bill is an endeavour to interfere with the established principles of labour. But in what manner does it propose to interfere with labour further than those Acts have done already? The right hon. Baronet says—and says with truth, perhaps—that if you interfere with the labour of children between 8 and 13, and of girls between 1h and 18 years, you in effect interfere wit3 the labour of adults. But that interference is the principle of the Acts which already exist. Why, Sir, the very last Act which this House passed, was the introduction of a new principle into legislation; it was an interference with the labour of women. To that Act I felt great objection; and it was only by the representations and statements of the right hon. Gentleman opposite, I was induced to consent to it. But if those enactments do interfere indirectly, they in-

terfere with labour altogether; if they do prevent fifteen or sixteen hours, or forbid labour beyond so many hours, they do in principle interfere with labour quite as much as this Bill would were it carried. The right hon. Baronet, who is assuming this popular argument on the subject, says to the House—"Will you, for the first time, establish the principle of interfering with adult labour?" But he has taken that very course himself. The right hon. Baronet at first says, that my right hon. Friend (Mr. Macaulay) proceeded to adduce an argument which was quite unnecessary—but as a specimen of rhetoric was very beautiful—and then goes on to show the necessity of that argument by his own reasoning exactly. The question before the House is as to the number of hours to which you can extend your interference; for there is not a class of persons with whom this Bill proposes to interfere, upon whom you have not by your Acts already sanctioned legislative interference. You interfere with children between 8 and 13, with girls between 13 and 18, and with women of all ages. Those are the persons with whom your legislation now interferes, and with whom this Bill proposes to interfere still further. It is, I admit, a grave question whether or not you should sanction this further interference; and the settlement of this question implies a conviction of these two propositions: first, that it is desirable for the sake of the health, of the morals, and of the good conduct of the persons with whom we thus propose to interfere, that a limit of the time of labour to ten or eleven hours should take place; and, secondly, whether there are good reasons to suppose you may do this without mischievously affecting the labour of those classes employed in factories, and so deprive the master of his fair profit in that labour, and injure the great mass of the operatives themselves. I think the first proposition hardly requires a word from me, after the demonstration of it which you have already heard from my right hon. Friend. His statement was quite sufficient to prove it without me and for me, and commends itself at once to the understanding of every one who heard it. It is nothing more than this—that young girls of tender age cannot be kept in factories for fourteen hours a day without considerable risk and injury to their health—without depriving them of the means of performing those domestic duties which those who will one day be wives and mothers ought to have the means of performing, and without depriving them of moral and religious education. That is a proposition which I shall not take up the time of the House by endeavouring to prove, after the manner in which it has been treated by my right hon. Friend. But it is said, and indeed it is hardly contradicted even by the opponents of the Bill, your interference will be so injurious that the working classes themselves would suffer from the enactment. If this were indeed true, then it would be a most painful position for the House to be placed in. Suppose you were convinced that there was a species of labour going on in this country which was necessarily injurious to the health of the young persons employed in it—which affected the physical condition and morals of those who were to be husbands and wives, the fathers and mothers of a future generation—and which deprived those young persons of the means of moral instruction and religious knowledge; and yet that you find yourselves, with that conviction, unable to interfere with that labour without producing greater mischief—I say, that would be a most lamentable position for you to find yourselves in. It would be impossible for any one to rest satisfied in voting against this Bill, or that the Legislature could look on such a state of things with satisfaction. But I do not believe this is the case. I take a more cheerful view of our proposed legislation, which I will not say is without a chance of risk, but is certainly without the probability of danger. I say, in the first place, that those who use this argument prove too much. If we place ourselves in the situation in which we were a few years back, what would our arguments be? The hon. Member for Durham, who gave us most interesting details on those matters, says it has been the custom for the last thirty years in most of the factories to continue the labour for only twelve hours a day. And we are told, that in other countries, instead of sixty-nine hours, work is carried on for seventy-two, eighty, and even ninety hours a week. Let us then put a question, which might have been put twenty years back. It might then have been said, look to the disadvantages under which your manufactures contend—you only work sixty-nine hours, while other nations are working seventy and ninety hours. You have a tax on raw cotton, and a heavy tax on machinery. And you have laws which prevent the people buying food as cheap as people in foreign countries.

How is it possible, then, for you to contend with foreign nations? I think that would have been considered proof to demonstration of its impossibility. And yet, with all these disadvantages, what has been the result? In 1824 your exports, according to the official value, were 4,000,000*l.* In 1833 they were 70,000,000*l.* And in 1845, what were they? They were no less than 135,000,000*l.* I say then, as such has been the case, other circumstances have enabled this country to carry on those manufactures. But I likewise remember, with respect to two matters I have mentioned, when this question was formerly before the House, the manufacturers dwell particularly on the disadvantages to which they were subject. One was the tax on raw cotton. Now, with respect to that tax, it was stated to me and many other Members of this House, that it amounted to 8 per cent on the raw material, and one house stated that they paid no less than 4,500*l.* a year on account of the tax. I have had sent to me different accounts of the tax, calculated in various ways. In one instance the fixed capital, I find, amounted to 110,000*l.*, and the amount spent in raw cotton was 20,000*l.* If that is the case they have been relieved from a tax of no less than 1,600*l.* a year. With respect to another factory, where the fixed capital was only 20,000*l.*, yet the calculation comes to this, that while the wages would be affected to the extent of 10*d.* a week by taking off one-twelfth of the whole labour, the amount saved by the relief from the cotton tax is no less than 1*s.* 1*d.*, showing a difference on the side of gain by the abolition of the tax on raw cotton. That was one of the grievances of which the manufacturers complained. Another statement was made very confidently in public by Mr. Ashworth to the Committee for Short Time. It was this—that in consequence of the restrictions on the importation of corn, they were working at a great disadvantage as compared with foreign nations; and Mr. Ashworth stated that that tax imposed no less a burden than two hours a day on the labourers. That was the statement made by them; and let us observe, whatever may be the effect of the repeal of the duties on corn, according to the various statements made by persons who calculate differently its effects, the advantage that may be expected from it will, in one case or the other, tend to place us on a more equal footing, as compared with other manufacturing countries. Some say that the price of corn will be raised in foreign countries, and that the price in this country will not be lowered. In that case, foreign manufacturers will be under the same disadvantage that we are with regard to the price of corn. Others take it the other way, and think that the price will be very much lowered in this country. Then the manufacturer in England will have the advantage of cheap corn, and a great demand for his manufactures, and in that way will be able to compete more equally with the foreigner. I must say I have seen with great regret that those who make these statements with respect to the effect of the repeal of the corn duties, do not admit that this is a time to entertain this subject. [MR. BRIGHT: We can never admit that.] I quite agree with the hon. Member for Durham, they will never admit that it would be right by law to enforce an interference to which they are opposed; but I think it cannot be denied that circumstances are now more favourable to making an attempt at an alteration, if that be deemed advisable, than they were in 1844. I own, however, it seems to me that the question is otherwise in a position still more disadvantageous, because they say, if these operatives will consent to a reduction of wages, then they will agree to a reduction in the number of hours. This is proposed to the adult operatives who are gaining a certain amount of wages. Now I must frankly say I do not expect they will agree to those terms. Knowing the labour which people undergo in this country, and the natural wish there is to earn high wages, and have a greater proportion of the comforts of life, I do not wonder that, placed before them in that way, the alternative should be for work. And I should not expect that it will be placed before them in any other way, and therefore that no shorter time will be established until legislation takes place. Now, with respect to the effect of that legislation on wages, I have never held out that it was to be expected, if adult labourers should be limited in point of time, that they would receive the same wages as they do now. But with respect to what may actually take place, whether the wages shall be actually reduced or not, that is a question which must depend, not on such a Bill as this, but on the demand for labour at the time. My belief is, that having great confidence in the Bill which lately passed through this House for the repeal of the Corn Law, my expectation is, that

there will be a much greater demand for labour in the manufacturing districts, and that during that greater demand for labour there will naturally take place a rise in wages —and there will be a greater enjoyment of comforts by the manufacturing population. I maintain that I have a right to look to that measure for further advantages. I have looked to the repeal of the Corn Law for the social improvement of the people of this country. I have looked to see that the future population shall be instructed in the principles of religion, that they shall be taught their domestic duties. Believing, then, that this Bill, though it may be modified in Committee so that it will not go beyond eleven hours, tends to the social improvement of the people of this country, I shall give my vote in its favour.

Mr. COBDEN: The noble Lord, in reply to the right hon. Baronet, contended that this Bill would not, in fact, interfere with the labour of adults. He believed it was ascertained by the experience of our past legislation, that, practically, to legislate for persons under the age of 18 was to legislate for adults. That was not known till lately; but, practically, a Bill to limit the hours of labour for persons between the ages of 12 and 18, was stopping the engine for all persons above that age. He should not like hon. Gentlemen to be under any misapprehension as to the effect of the votes they were likely to give; he dared to say they might think that they had placed him in a very awkward position, and that he must give an unpopular vote by voting against the Bill. But he wished them not to make any mistake in their calculations, or incur any undue unpopularity, for he was satisfied that a grosser delusion was never palmed upon the working classes than had been systematically disseminated on this subject. He would not say that it was designedly so, because the persons concerned in the short-time agitation had some peculiar notions of their own with respect to—he would not call it political economy, for he could not dignify it by that name, but they had some peculiar doctrines by which they believed that the legislation of that House could in some way parcel out the labour of this country, control wages, limit quantity, and maintain prices. The originator of this agitation was Mr. Oastler; at least he followed in the wake of Mr. Sadler. Mr. Sadler, it was well known, was directly opposed to the principles now in the ascendant, that by widening the field for industry you would increase the demand for labour, raise wages, and raise profits. Mr. Oastler's view would best be seen by an extract from his evidence before the Committee of that House :—

"Have you formed any opinion with respect to the effect this Bill will have on wages ?—I have a decided opinion on that point. My own opinion is that it will not lower wages ; I think it will raise them. Not even in the first instance ?—In the very first instance. There will be a battle between the two parties ; the masters will expect them to work at lower wages, and the men will stand out.—Of course, then, the Bill must in some degree diminish the profits of the masters, must it not ? I do not know that at all. I believe they are now competing with one another in such a degree, that if they would work less they would get more profit."

He believed that was a very compendious description of the political economy of the hon. Member for Oldham and his party. They were not free traders; the meetings of the free traders had been broken up by these men. The leaders amongst the operatives who had agitated in favour of the Ten Hours' Bill had opposed the League in the manufacturing districts. He did not mention this from hostility—he believed them to be honest; for he did not think any men could work so sturdily, energetically, and perseveringly, if they were not honest. But this only showed what a different system they were going on, from that which was embraced by all rational minds. If not, he did not understand the principle on which they were proceeding. He was only anxious that on this occasion they should not fall into a measure for which the working classes would not thank them, but which might procure them very great unpopularity. He was one of those who was prepared to legislate in the case of infants, and he would tell them on what ground. If he found it proved that in this country great numbers of infants were being worked to death, he would step in by law to take them out of the hands of their parents, just as the Lord Chancellor would interpose and take away the child of one of the nobility if it had been improperly treated. But, should he say, that with a great community of working classes, such as existed in this country, they had done enough when they had done this—if he found society in such a state that people were willing to work their children to death, he should say that society must be improved by other means. You should raise its moral feeling, lighten the pressure by taking

away the burdens imposed upon the necessaries of life, take away the temptation to commit crime amongst the people which arose from deficient subsistence. In former years, when the House was legislating for children, they had medical evidence, and acted upon physiological grounds. Now it was known to the parties agitating the measure, that they were legislating as much for adults as for children. They had indeed met that part of the question. Some had contended that wages would not fall, although that was not the general argument in that House. The Members for Newcastle-under-Lyme and Hertford had told the House that wages would fall, and had accompanied that warning with an expression tantamount to this, that they did not think high wages conduced to the morality of the working man, and that he would not be worse off on that score if he earned a little less. It was doubtful whether that sentiment would be very acceptable to the working man. He (Mr. Cobden) wanted hon. Gentlemen opposite to bring in a little head, as well as a little heart, when they were dealing with this question. It seemed to be the tone of the other side to assume that their opponents had no bowels of compassion for their fellow men. Why, he was as hearty an advocate for short time as any man on the other side could be, and had done something in his humble way to promote it. Now, every clerk in Manchester had his half-holiday on Saturdays, and there was a short-time agitation going on among the shopkeepers. But the other side proposed to legislate on the subject, and they accused others who did not like to legislate with them, as hardhearted and insensible. Had hon. Gentlemen considered how far this principle would carry them? He had received a petition from a parish in Somersetshire praying the House to take into consideration the state of the farmers' men, whose wages were so low that they could not procure the common necessaries of life; and they entreated the House to pass a law compelling the farmers to give the labourers their due. The petition was signed by the surgeon of the village, and by several persons, apparently working men. Now he asked hon. Gentlemen who wanted to introduce this system of benevolence into their legislation, what they would say if he were to introduce a Bill to compel the employers of labour in Dorsetshire, or Wiltshire, or Somersetshire, to give their labourers 12*s.* a week? He had employed unskilled labour such as that, and he had never paid less than that sum. Would the noble Lord the Member for Newark support such a Bill? Could he, on the ground of benevolence, on the score of justice, refuse to do so? Yes, it might be presumed he would, and he would resist the Bill on grounds of political economy—hardheartd political economy. He would say, True, you might pass a law to compel the farmers to pay such and such wages, but could you compel them to employ labour? So he said with respect to the manufacturers—you may pass a law to compel ten hours' labour, but can you ensure the factories being profitable, and that they would employ labour during those ten hours? Bad as the factories might be, there was something worse behind, and that was no work at all. These were the grounds on which he appealed to hon. Gentlemen. It was not a question of feeling. In individual cases, when a man started as a doctor, without a knowledge of anatomy and medicine, he was called a quack; and he trusted the time was coming when men would no longer rush into hasty legislation prompted by feelings of benevolence and philanthropy alone, but repudiating the facts of that science which taught how to legislate with something like probability of the result being for the general benefit of the community. He did not oppose interference between masters and men for the sake of employers alone; he opposed all interference whatever with the labour of adults, primarily for the sake of the adults themselves. If they were to establish the principle that Parliament would not interfere at all with labour, and would not interfere between masters and workmen, it would be the best thing for the working men that that House could do. For that House represented the employers more than the employed, and in the long run legislation would gravitate towards the interests of those who sent Members there; and if they legislated relating to the labourer at all, it would prove in the end against him, and not for him. He had heard from an influential quarter some talk of re-enacting the combination laws. To that he said no. Let the masters and the working men alone. Every one who understood the working of factories knew that the reduction of wages would be self-acting, and would require no operation from the master. The men were paid by the piece, and if the quantity produced were diminished, and profits reduced as well, the only way

to maintain the present wages must be a rise in the rate of wages; and the operation of the Bill would be to put the workmen in a position encouraging to strikes, and in nine cases out of ten those strikes ended in the discomfiture of the operative. How many of the millowners of Lancashire and Yorkshire were men of small capital, who rented their mills at a fixed rent, say of 1,500*l.* or 2,000*l.* a year; and it would be surely a hard case upon these men holding their factories on a long lease at a rent based upon calculations of the production of so much cotton per week, to pass a law cutting off their power of production. It was on the ground of public interest—of the interest of the working men—that he opposed this measure, and he regretted the leading statesmen on both sides of the House had not taken a decided course in guiding opinion in that House, and in discouraging the delusion out of doors. If this measure had been staved off for another year, he believed that the views of the working classes would have changed under arrangements between their masters and themselves without causing any diminution of wages.

Lord J. RUSSELL, in explanation, said, that no doubt the change from twelve hours to eleven must be a loss to the operatives. But no one could say what would be the amount of that loss at any particular time.

Mr. MUNTZ said, he was not satisfied with the statements made on this subject by Gentlemen engaged in the trade. The hon. Member for Sheffield, who he supposed was an amateur manufacturer, had quoted Adam Smith; but he forgot to add that Adam Smith, nearly at the same place, had said that when a manufacturer worked his labourers to an extent that was injurious to their health and minds, it was a losing game for both. After forty years' experience, he could safely assert that he had never known an instance where he had made men work to meet an extra demand, that he had not himself been a loser by it. He was not at all satisfied with many of the statements which he had heard in that House to-night, and least of all by those which were made by certain hon. Members who were themselves manufacturers. He could not pretend to explain the motive of the proceeding he had witnessed; but he was aware that an impression prevailed in certain quarters to the effect that those who took part in the Anti-Corn-Law movement had made a compact or agreement with the working men, and those engaged in the manufacturing interests, to the effect, that if they would join in the agitation for the repeal of the Corn Laws, the others would exert themselves in favour of the present measure. Again, he must say he did not feel satisfied with the statements which had been made by hon. Gentlemen manufacturers having seats in that House. As for Her Majesty's Government, he did not know what to say of them. They seemed to go "the whole hog" now for free trade. Far be it from him to find fault with them. They were entitled to their opinion as he was entitled to his; but he must be allowed to say, that it was not until very recently that they had got such clear and decided lights on this factory question. In the year 1844, there was great difficuly in the Cabinet on this question. One of the Ministers at that time, with whom he had never spoken before, met him (Mr. Muntz) by accident one day (he could give the Minister's name, if there were any occasion), and asked him the plain question of whether he was in a position to give Her Majesty's Government any information which could aid them out of the difficulty in which they were placed with respect to this matter; for, said he, "I assure you, Sir, we are so pestered by contradictory representations and intelligence from all sides upon this matter of the Factory Bill, that we don't know what to believe or what to do." He told that Gentleman that he was not a cotton manufacturer, and accordingly very respectfully declined to give him any information on the point. This incident sufficed to show that not very long ago the Ministers were by no means very clear upon the very measures respecting which they were now taking so decisive a course. But it too often happened that the Government boasted of principle, while in point of fact they possessed but very little of it. The Bill should have his cordial support.

The House divided on the Question that the word "now" stand part of the Question:—Ayes 193; Noes 203: Majority 10.

List of the Ayes.

Acland, Sir T. D.	Arundel and Surrey, Earl of
Acland, T. D.	Austen, Col.
Acton, Col.	Bagge, W.
Adderly, C. B.	Bailey, J.
Aglionby, H. A.	Baillie, W.
Ainsworth, P.	Bankes, G.
Alford, Visct.	Bannerman, A.
Archdall, Capt. M.	

Barnard, E. G.
Baskerville, T. B. M.
Beckett, W.
Bell, J.
Benett, J.
Bennet, P.
Bentinck, Lord G.
Bentinck, Lord H.
Beresford, Maj.
Berkeley, hon. C.
Bernal, R.
Blackburne, J. I.
Blackstone, W. S.
Borthwick, P.
Bradshaw, J.
Bramston, T. W.
Bridgeman, H.
Briscoe, M.
Broadley, H.
Broadwood, H.
Brocklehurst, J.
Brooke, Lord
Brotherton, J.
Browne, hon. W.
Buller, C.
Buller, E.
Burrell, Sir C. M.
Busfeild, W.
Cayley, E. S.
Chandos, Marquess of
Christie, W. D.
Christopher, R. A.
Churchill, Lord A. S.
Clifton, J. T.
Cole, hon. H. A.
Colquhoun, J. C.
Cowper, hon. W. F.
Crawford, W. S.
Curteis, H. B.
Denison, E. B.
D'Eyncourt, rt. hn. C. T.
Disraeli, B.
Douglas, Sir H.
Douglas, J. D. S.
Duff, J.
Duke, Sir J.
Duncombe, T.
Duncombe, hon. O.
Dundas, D.
East, J. B.
Ebrington, Visct.
Entwisle, W.
Etwall, R.
Evans, Sir De Lacy
Ewart, W.
Farnham, E. B.
Fellowes, E.
Ferrand, W. B.
Finch, G.
Fitzroy, Lord C.
Fox, C. R.
Frewen, C. H.
Fuller, A. E.
Gardner, J. D.
Gaskell, J. Milnes
Gooch, E. S.
Gore, W. O.
Gore, W. R. O.
Goring, C.
Granby, Marquess of
Granger, T. C.
Grey, rt. hon. Sir G.
Grimsditch, T.
Grogan, E.
Grosvenor, Lord R.
Halford, Sir H.
Hall, Sir B.
Hall, Col.
Halsey, T. P.
Hamilton, G. A.
Harcourt, G. G.
Harris, hon. Capt.
Hatton, Capt. V.
Heathcote, G. J.
Henley, J. W.
Hervey, Lord A.
Hildyard, T. B. T.
Hill, Lord E.
Hindley, C.
Hollond, R.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hudson, G.
Ingestre, Visct.
Inglis, Sir R. H.
Jervis, J.
Johnson, G.
Kemble, H.
Knight, F. W.
Lambton, H.
Law, hon. C. E.
Lawson, A.
Lefroy, A.
Lennox, Lord G. H. G.
Leslie, C. P.
Liddell, hon. H. T.
Lowther, hon. Col.
Macaulay, rt. hon. T. B.
Maclean, D.
M'Carthy, A.
M'Donnell, J. M.
Manners, Lord J.
March, Earl of
Miles, P. W. S.
Miles, W.
Milnes, R. M.
Morris, D.
Mostyn, hon. E. M. L.
Muntz, G. F.
Napier, Sir C.
Neeld, J.
Neeld, J.
Newdegate, C. N.
Newport, Visct.
Newry, Visct.
Norreys, Lord
O'Brien, A. S.
O'Connell, D.
O'Connell, J.
Ossulston, Lord
Paget, Col.
Paget, Lord A.
Palmer, R.
Palmerston, Visct.
Plumptre, J. P.
Plumridge, Capt.
Pollington, Visct.
Rashleigh, W.
Repton, G. W. J.
Rich, H.
Richards, R.
Rollestoun, Col.
Russell, Lord J.
Ryder, hon. G. D.
Sandon, Visct.
Scott, hon. F.
Shaw, rt. hon. F.
Sheil, rt. hon. R. L.
Sheppard, T.
Sheridan, R. B.
Sibthorp, Col.
Smith, A.
Smith, rt. hon. R. V.
Spooner, R.
Staunton, Sir G. T.
Stuart, Lord J.
Stuart, J.
Strickland, Sir G.
Taylor, E.
Taylor, J. A.
Tollemache, J.
Tower, C.
Towneley, J.
Troubridge, Sir E. T.
Turnor, C.
Tyrrell, Sir J. T.
Vane, Lord H.
Verner, Col.
Vyse, R. H. R. H.
Waddington, H. S.
Walker, R.
Watson, W. H.
Wawn, J. T.
Welby, G. E.
Williams, W.
Wodehouse, E.
Worcester, Marquess of
Wyndham, J. H. C.
Yorke, H. R.

TELLERS.

Fielding, J.
Wakley, T.

List of the NOES.

A'Court, Capt.
Alexander, N.
Bagot, hon. W.
Baillie, Col.
Baine, W.
Baldwin, B.
Balfour, J. M.
Barclay, D.
Barkly, H.
Baring, rt. hon. F. T.
Baring, rt. hon. W. B.
Barrington, Visct.
Bell, M.
Bellew, R. M.
Benbow, J.
Bodkin, W. H.
Boldero, H. G.
Botfield, B.
Bouverie, hon. E. P.
Bowes, J.
Bowles, Adm.
Bowring, Dr.
Boyd, J.
Bright, J.
Bruce, Lord E.
Cardwell, E.
Carew, W. H. P.
Carnegie, hon. Capt.
Cavendish, hon. C. C.
Cavendish, hon. G. H.
Cholmondeley, hon. H.
Chute, W. L. W.
Clay, Sir W.
Clerk, rt. hon. Sir G.
Clive, hon. R. H.
Cobden, R.
Cockburn, rt. hn. Sir G.
Colebrooke, Sir T. E.
Collett, W. R.
Coote, Sir C. H.
Corry, rt. hon. H.
Craig, W. G.
Cripps, W.
Currie, R.
Dalmeny, Lord
Damer, hon. Col.
Dawson, hon. T. V.
Deedes, W.
Denison, J. E.
Dennistoun, J.
Divett, E.
Dodd, G.
Douglas, Sir C. E.
Douro, Marquess of
Dowdeswell, W.
Drummond, H. H.
Duckworth, Sir J. T. B.
Dugdale, W. S.
Duncan, Visct.
Duncan, G.
Duncannon, Visct.
Dundas, F.
Dundas, hon. J. C.
Egerton, W. T.
Escott, B.
Estcourt, T. G. B.
Evans, W.
Feilden, W.
Ferguson, Col.
Filmer, Sir E.
Fitzmaurice, hon. W.
Fitzroy, hon. H.
Flower, Sir J.
Forbes, W.
Forman, T. S.
Forster, M.
Gibson, T. M.
Gill, T.
Gisborne, T.
Godson, R.
Gordon, hon. Capt.
Gore, M.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Greene, T.
Hallyburton, Lord J. F.
Hamilton, J. H.
Hamilton, W. J.
Hamilton, Lord C.
Hanmer, Sir J.
Hastie, A.
Hawes, B.
Hay, Sir A. L.
Hayes, Sir E.
Hayter, W. G.
Heneage, G. H. W.
Hepburn, Sir T. B.
Herbert, rt. hon. S.
Hinde, J. H.
Hodgson, F.
Hodgson, R.
Hogg, J. W.
Holmes, hon. W. A.
Hope, Sir J.
Hope, G. W.
Houldsworth, T.

Howard, hon. J. K.	Peel, rt. hon. Sir R.
Hume, J.	Peel, J.
Hutt, W.	Philips, G. R.
James, W.	Philipps, M.
James, Sir W. C.	Price, Sir R.
Jermyn, Earl	Protheroe, E.
Jocelyn, Visct.	Reld, Sir J. R.
Jones, Capt.	Reid, Col.
Kelly, Sir F.	Ricardo, J. L.
Ker, D. S.	Romilly, J.
Labouchere, rt. hon. H.	Round, J.
Langston, J. H.	Rumbold, C. E.
Lascelles, hon. E.	Russell, C.
Lascelles, hon. W. S.	Sanderson, R.
Legh, G. C.	Scott, R.
Lemon, Sir C.	Seymour, Lord
Lindsay, hon. Capt.	Seymour, Sir H. B.
Lockhart, A. E.	Shelburne, Earl of
Lockhart, W.	Smith, B.
Lyall, G.	Smyth, Sir H.
Lygon, hon. Gen.	Smythe, hon. G.
Mackenzie, T.	Somerset, Lord G.
Mackenzie, W. F.	Sotheron, T. H. S.
M'Neill, D.	Stansfield, W. R. C.
Mahon, Visct.	Strutt, E.
Maitland, T.	Sutton, hon. H. M.
Manners, Lord C. S.	Tancred, H. W.
Marshall, W.	Thesiger, Sir F.
Marsland, H.	Thornely, T.
Martin, J.	Tollemache, hon. F. J.
Martin, C. W.	Traill, G.
Masterman, J.	Trelawny, J. S.
Maule, rt. hon. F.	Trench, Sir F. W.
Meynell, Capt.	Trevor, hon. G. R.
Mildmay, H. St. J.	Vernon, G. H.
Mitcalfe, H.	Villiers, hon. C.
Mitchell, T. A.	Vivian, J. E.
Moffatt, G.	Walpole, S. H.
Morgan, C.	Warburton, H.
Morpeth, Visct.	Ward, H. G.
Mundy, E. M.	Wellesley, Lord C.
Norreys, Sir D. J.	Wood, C.
Northland, Visct.	Wood, Col.
Ogle, S. C. H.	Wood, Col. T.
Oswald, A.	Wortley, hon. J. S.
Owen, Sir J.	Wyndham, Col. C.
Paget, Lord W.	Wynn, Sir W. W.
Parker, J.	TELLERS.
Patten, J. W.	Young, J.
Pattison, J.	Baring, H. B.

The main Question as amended agreed to: second reading put off for six months.

House adjourned at a quarter to Three o'clock.

HOUSE OF LORDS,

Monday, May 25, 1846.

MINUTES.] *Took the Oaths.* The Lord Dunfermline; the Earl of Ashburnham.

Sat first. Lord Kilmarnock, after the Death of his Father.

PUBLIC BILLS.—*Reported.* Polling Places (Ireland).

PETITIONS PRESENTED. From Tynemouth, and a great number of other places, against the Corn Importation Bill.—By Lord Beaumont, from Alresford, against the Corn Importation Bill, and for a Dissolution of the present Parliament, so as to give the Country an Opportunity of expressing its Opinion on the Subject.—From Montrose, and other places, for the Total and Immediate Repeal of the Corn Laws.—From Tipperary, and several other places, for Protection to the Agricultural Interest.—From County of Wilts (2), against the Corn Importation and Customs Duties Bill.—From Presbytery of Kirkcudbright, for the Continuance of the Laws which require the Subscription of Religious Tests from Professors in Scotch Universities, and for Inquiry respecting Burgh and Parochial Schoolmasters (Scotland).—By the Earl of Galloway, from Burntisland, and other places, praying that a Bill may be passed compensating the Proprietors of Lands for the Purchase of Sites for Free Churches (Scotland).—From Distillers of Atholl and Strathlay, complaining of the High Rate of Duty on Malt Spirits, and praying for a Reduction thereof, and for the Redress of certain Grievances mentioned in the Petition.—From Farnley, and other places, for the Better Observance of, and for the Prevention of the Sale of Intoxicating Liquors on, the Sabbath.

THE ACCOUCHMENT OF HER MAJESTY.

The DUKE of WELLINGTON: My Lords, I have to announce to your Lordships, that Her Majesty was safely delivered of a Princess this day, at three o'clock in the afternoon. I have, therefore, according to the usual practice, to move that an humble Address be presented to Her Majesty, to congratulate Her Majesty on the birth of another Princess, and to assure Her Majesty that any addition to Her Majesty's domestic happiness affords the highest satisfaction to the House of Lords.

VISCOUNT MELBOURNE: I beg leave to support the Motion, and to second it without a word of comment, as I feel that any such would be quite unnecessary.

Address agreed to, ordered to be presented by the Lords with white staves.

CORN IMPORTATION BILL.

Order of the Day for the Second Reading read.

The EARL of RIPON: My Lords, however desirous I must naturally be to compress within the smallest compass I can the observations which it is my duty to address to your Lordships on this important question, I fear that the very importance of that question, as well as certain circumstances personally applying to myself, may compel me, however reluctantly, at some length to trespass on your patience. For that patience I ask. Your indulgence I do not ask, because doing so might have the appearance of my feeling that I was about to do, or that I had done, something for which I was bound to make excuses and apologies to your Lordships. My Lords, I am about to discharge a duty which I have with a clear conscience taken on myself. I have therefore, no apology to make. At the same time, I have experienced on many occasions too much of the kindness of this House to doubt one moment that that patience which I ask will willingly be extended to me. I have stated

that this is an important question—I have always considered it to be by far the most important question affecting the social condition of the country to which the attention of Parliament can be directed—important, my Lords, inasmuch as it affects, in one way or another, every class of the community—important, as it is unfortunately calculated at the same time, whenever it is brought under discussion, to excite warm if not angry feelings, and to lead the mass of the people to think that one party is disposed to insist upon laws for their own advantage, to the neglect of the good of others; while the same feeling in an opposite direction, may and does prevail on the other side. It is perfectly true that in fair reasoning the interests of the two parties to which I refer, are really and substantially identical. But it is extremely difficult, considering the nature of the question—considering that it refers to that which is absolutely necessary—a sufficiency of food for the people—it is extremely difficult to induce the great mass of mankind to believe that identity of interest, and to refrain from the conclusion that those who entertain opposite opinions to their own, are influenced by conflicting interests which cannot be reconciled. I say, therefore, that the corn question is not only the most important, but that it is the most difficult of all questions; and that it is so, the course which Parliament has pursued on the subject sufficiently indicates. That course has been subject to great fluctuations, and to a great variety in the methods of dealing with it. Plans which at one time were considered calculated to produce public advantage, and to promote the interests of the country, have at other periods been held to be utterly incompetent to the production of those effects, and have been abandoned as useless, to adopt some other substitute. I think this is a circumstance which shows the extreme difficulty in which the subject has been always considered to be involved. I am not insensible to these difficulties. True it is that I have taken an active part in the discussion of this subject. It was my lot many years ago to hold a situation in the Government of that day, and in that capacity to propose to Parliament a very important measure for the purpose of regulating the trade in corn. But I am most anxious—for my own vindication in respect to the course which I have pursued, not only on that but on many subsequent occasions, and, comparing it with the course which I deem it my duty to pursue on the present occasion—I am most anxious to explain to your Lordships what the principles were on which I supported these measures; and, above all, to show what were not the principles on which I recommended them to Parliament. When I introduced, in 1815, the Corn Bill of that day, I did it—I may say so confidently (and it is now so long since that I can hardly be anxious as to the inference to be drawn from the fact)—I did it—I did introduce that measure with the greatest reluctance. I was not a Member of the Government; that is to say, I only held a subordinate situation in it—and when the Earl of Liverpool sent to desire that I would move the measure, I took the liberty of expressing to him that I had a great objection to the principle of any Corn Law whatever. I thought then—I have thought ever since—that a Corn Law is in itself an evil to be justified solely by the establishment of some paramount necessity, sufficient to overcome the magnitude of the objection, and to sanction the imposition on the country of what is in itself an evil. In the address, therefore, which I then took the liberty of delivering, in the other House of Parliament in reference to that subject, I so stated my opinions. I stated that I thought a Corn Law was a choice, not so much of difficulties, great as they were, as of positive evils; and I showed what the grounds were on which I thought Parliament would be justified in over-riding the general rule, and adopting the measure which I had undertaken to propose. I did not, however, propose that law, and I have never supported any Corn Law whatever upon many of the grounds on which that system of policy has been supported by others. I have never, for instance, supported the Corn Law on account of any question of rent; and I have never supported it on account of the charges imposed on owners of land, arising from mortgages, settlements, and incumbrances of that nature. I consider that none of these matters had anything to do with the real question which was to be dealt with, and I never attached any weight to the arguments which were based upon views of that kind. I am perfectly aware that this line of argument in support of the Corn Law is now pretty generally abandoned—at least it is abandoned in Parliament. It may not be abandoned elsewhere; but I do think that it is not a ground on which any one is now prepared to vindicate restrictions on the first

article of necessity in this country. I never supported a Corn Law upon the ground of its being a part of a great system of protection of national industry. On the contrary, I have always supported a law affecting corn on its own especial grounds, as being entirely contradistinguished from any other article of commerce, and as standing upon ground peculiar to itself. Indeed, it would have been impossible for me to have supported a Corn Law as a part of a great system of national policy intended to give uniform and universal protection to native industry, because over and over again I have laid down the opposite principle with reference to protection; and I have shared year after year in measures and arguments, the object of which was to break in the principle of what is called protection to British industry, and to get rid, as speedily as circumstances would permit, first of prohibition, and then of protection, which I have always held to be injurious not only to the country generally, but ultimately to the very interests which it is designed to serve. I have dwelt on this point, because at present I find the maintenance of a Corn Law supported and insisted on, as being part of a system of protection to British industry. I cannot support a Corn Law if that is to be the ground on which it is to be supported, not only temporarily, but permanently—viz., as part of a system from which we cannot depart without exposing the country to the most imminent danger. I have never supported a Corn Law on that principle, and therefore am not liable to reproach if I do not now support it on that principle. I deny that what is called protection to native industry has been the principle of national policy at all times, and under all circumstances; for when I consider what has been the law and policy of this country from time to time, I do not find that such has ever been avowed as the principle of national legislation; but, on the contrary, the legislation of the country has been over and over again adverse to that principle; and though some cases have been referred to as showing the desire of Parliament to maintain the principle in all its integrity, they really have no reference whatever to it. I had occasion once to point out to your Lordships, when we were about to take into consideration the Tariff of 1842—I had occasion, I say, then to point out to your Lordships what the circumstances were which had given rise to what has been taken, I think erroneously, to be the establishment of that system of protection. It is true that very high duties had been imposed upon the admission of foreign articles into this country, and that they had the effect, in their operation, of being protective duties; but when we come to the question, and consider it as a question of principle, we must look to what the motives of the Legislature were in imposing those duties. Looking at the case in this point of view, you will find that, in an immense number of instances, those high duties were the result of fiscal necessity. An addition of 25 per cent was imposed upon the customs duties for the sole purpose of revenue, without any consideration of the particular mode in which the increased duties would affect the general trade and commerce of the country. They did not, in fact, rest upon any general principle. I will refer your Lordships to the instance of one article which has been much spoken of—I mean timber. The duty on timber has been supposed to form a part of this great system of protection to native industry. Now, my Lords, whatever it may have become, it certainly was not so forty years ago; for until the year 1809, when a higher amount of duty was first imposed upon foreign timber, the duty on timber was next to nothing; and no one, at that time, thought of protecting either the timber of our own country or of the Colonies by any system of duties of that description. Now, from what did this increased duty arise? It arose from the accidental circumstances of our being then engaged in hostilities with the Northern Powers, who were at that time under the influence of Napoleon. To show that that system of duties was not interwoven with our commercial constitution, if he might use the phrase, the Act imposing those high duties was passed only during the duration of war, and might have expired in the course of two or three years afterwards, if peace had taken place. That shows, however, that this notion of high duties on timber being part of a grand system for the purpose of protecting native industry, cannot be supported in fact. So again in respect to the duties which were levied, or supposed to be levied, for the protection of agriculture. Take, as an example, the wool trade. Now, there was no duty levied on foreign wool up to the year 1819, and then a duty was imposed for the sole purpose of revenue. My Lords, I must know something of that, because I happened in the House of Commons to move the reso-

lution upon which the imposition of that duty took place, and I can state that the object in laying that duty upon the introduction of foreign wool was to obtain a surplus revenue. The exportation of British wool was formerly prohibited, and all sorts of absurd and inconvenient restrictions were in force with respect to moving wool from one part of the kingdom to another—restrictions which were inconsistent with free trade of any kind, and equally inconsistent with the notion that an important article like this was entitled to have and did possess a share in a protective system. Again, with respect to the manner in which the articles of butter and cheese, and things of that kind, were dealt with by the Legislature: they were not liable formerly to any duty at all. It was not till the year 1816 that any duty was imposed upon either of these articles. It may have been wise, it may have been foolish, to impose a duty upon articles like these; but it never had been considered before to be necessary to give that part of our agricultural population who dealt in these articles of produce the advantage, or the supposed advantage, of protection for their industry. This, therefore, was no part of that general system of protection to agriculture, on which so much stress had been laid. I consider myself, therefore, my Lords, at liberty to assert that I have never supported a Corn Law on any of those principles which are now so much insisted upon. The only ground on which I reconciled myself to the fitness of a Corn Law at all was my apprehension—an apprehension which I most sincerely entertained—that this country would become, or might become, more dependent than in prudence she ought to be upon supplies of corn from foreign countries. I am glad to find that I am not misunderstood. That is the only ground on which I ever have thought that Parliament would be justified in levying a duty upon the admission of foreign corn. Now, undoubtedly, that is a ground which must at all times be fairly liable to be questioned as a matter of fact. It may always be fairly asked whether a necessity for excluding foreign corn does exist, and whether there may not be circumstances connected with the cultivation of the soil of this country which may either make that exclusion not necessary, or may aggravate the evil which protective laws were intended to diminish. That is the ground upon which we have to consider the Corn Laws at the present moment. The Corn Laws have indeed been described as being almost too sacred to touch, and as being a part of the Constitution of the country; but I certainly do not feel it necessary to advert to considerations of that description. Before we come to the conclusion that the Corn Laws are intimately connected with the political, the commercial, and the financial interests of the country, we may ask whether they are required to be maintained permanently? because if they are not to be maintained permanently, you reduce the question to a mere matter of time; but if it be contended that they must be permanently maintained, then, I will ask your Lordships to review the course of practical legislation which has been adopted by Parliament from time to time with reference to these laws. Certainly during a part of the last century frequent changes were made in the laws affecting the importation of corn; at some times they were made more stringently restrictive than they were at other periods. There existed also during many periods of the last century the same alarms with respect to agriculture and the condition of those engaged in the cultivation of the soil, which prevail at the present day. You will find among the publications of Sir Robert Walpole's day pamphlets without end describing the agricultural interest as totally ruined, and declaring that the landlords could get no rent, and that the tenants were without any return for the capital which they had sunk upon the land, and depicting the condition of the agricultural population in the most gloomy and melancholy colours. No such ruin, however, ensued. The agriculture of the country went on extending and improving itself, and daily became more and more capable of meeting the demands of the population. At last, however, a Corn Law was passed; and the first interference with the importation of corn to which I will call the attention of your Lordships is the Corn Law of 1791. That Corn Law was very restrictive in its nature; not so much so, indeed, as those that were afterwards adopted; but still it was very restrictive. It imposed a very high duty on foreign corn when the corn of this country was under the price of 50*s.*; when at 50*s.* and under 54*s.* a medium duty of 2*s.* 6*d.* was levied; and when it reached the price of 54*s.*, then it was admissible at a duty of 6*d.* That law of 1791 went on for a certain time, until at last its operation was entirely over-ridden for a series of years by the effects of the seasons. It is very

well known, though it may not be within the personal recollection of some noble Lords, that in the year 1795 and subsequent years of that century, and for several years at the beginning of the present century, the prices of corn were so enormously high, that the protective portion of the duty imposed by the law of 1791 never came into operation at all. It is well known that year after year foreign corn was imported into this country without paying any higher duty than 6*d.* But this was not all. There were many times during that period when the pressure of want was so severe that Parliament had recourse to very extraordinary means of bringing into the country additional supplies of food: the price to which a high duty attached was raised from 50*s.* to 63*s.* ; when the price was between 63*s.* and 66*s.* a duty of 2*s.* 6*d.* was levied; and when the price was above 66*s.* wheat was admitted at 6*d.* per quarter. Bounties were offered upon the importation of corn; and I believe that not less than one million and a half was given by way of bounty for bringing corn from every part of the world whenever it could be scraped together. There can be no doubt, my Lords, that at that time the pressure of scarcity was tremendous. At last, however, in the year 1804, it was found or thought that this Act of 1791, which was considered to be a perfect specimen of the mode in which protection ought to be given, was comparatively of no value, since in 1803 the harvest was very abundant, and the price of corn was considerably lower than it had been. It was thought, therefore, that the Act of 1791 was not sufficiently stringent, and accordingly a higher protecting duty was imposed by the Act of 1804. By this measure the measure of 1804 was supported, but was not brought forward by the Government of that day as a measure necessary to secure the increase and extension of agriculture, and in that way to facilitate the supply of food. But this Act was inoperative for a great portion of the time during which it continued in force ; for prices continued for a succession of years at a great elevation, and there was a severe pressure upon the poorer classes of the community ; and at last, when the war terminated in 1815, it was found, or supposed to be found, that this Act of 1804, which was more stringent than the measure of 1791, was, nevertheless, not sufficiently protective of British agriculture. The schemes of 1791 and 1804 were found to be worth nothing, and a new measure was brought forward in 1815. That was certainly not a very popular law, either at the time of its enactment or after the country had had a short experience of its operation. I need not trouble your Lordships with any detail of figures to show how imperfectly that law did operate ; but I recollect perfectly well that it was the subject of general complaint, and not so much a subject of complaint among those who originally objected to it, as among those who were most anxious for some new measure, because the law of 1815 was held to be utterly inefficient for its purpose. Its inefficiency, my Lords, I entirely admit. I admit that the measure was liable to very great objection ; it was not a good law for the purposes it was designed to effect, and those who most loudly condemned it were the very persons for whose benefit it had been passed. In 1820 it was admitted that this law had been utterly inefficient ; and in that year a proposition was made in the House of Commons that the subject should be referred to a Committee, with a view of rendering the law of 1815—the stringency of which no one could deny—still more stringent. I opposed that Motion on the part of the Government in the House of Commons ; but it was sanctioned by the House of Commons, and a Committee was appointed, whose labours were subsequently restricted to the minor question as to the mode of taking the averages. A year or two afterwards another Committee was appointed, and the subject was thoroughly investigated ; but their recommendations were not such as had been anticipated by the agricultural interest. The report of that Committee was drawn up by Mr. Huskisson, who, though not chairman of the Committee, was requested to prepare it, and a very elaborate document it was. It contained much sound reasoning and valuable information. This report became the foundation of an alteration of the law of 1815, with the object of relaxing by degrees the restrictions of that law, so as to admit foreign wheat before prices had reached the extreme height at which, under that Bill, importation was likely to commence. The law for effecting this alteration was passed in 1822 ; but it was strongly objected to by many individuals connected with the agricultural interest. In point of fact, it never came into operation, for its operation was to depend upon the price of corn reaching a certain height, which it did not attain so long as that law remained in force. It was felt, however,

that this law would be attended with great inconvenience; and it became necessary for Parliament to interfere, on more occasions than one, to suspend its operation: in one case by Act of Parliament, and in another by an exercise of the power vested in the Executive Government. He (the Earl of Ripon) could not say much for the principle of a law which it was necessary to suspend at the moment a severe pressure was felt. The evil, indeed, was felt so strongly, that in 1827 the attention of Parliament was again called to the subject, and a new scheme was devised, intended so to arrange the nature of the protection afforded, that the law should always regulate itself, and correct all the evils to which preceding Corn Laws had given rise. The Act of Parliament for effecting this alteration was finally passed in 1828. It was introduced into Parliament by Mr. Canning, in 1827; in the course of the summer of that year it reached the House of Lords; but, in consequence of some alterations made in it in their Lordships' House, it did not then pass into a law. A similar measure was, however, again introduced into Parliament in 1828, and adopted; and that law continued in operation till 1842. There were, however, many circumstances in the details, the practice, and the working of that law, which in the progress of time became the subjects of much criticism and objection. Many persons who had given serious consideration to the question were of opinion that that measure was open to great objection on account of the sudden fluctuations in the amount of duty, and the sort of jumping scale which it established; and it was finally altered in 1842, when the present law received the sanction of Parliament. I have mentioned these changes, my Lords, for the purpose of showing that if this system of protection be one which is so essential and so interwoven with the interests of the country as has been represented, it is the least stable that could possibly have been devised for the purpose of maintaining a permanent place in our policy. I confess, therefore, notwithstanding all the objections which have been urged against the removal of protection, notwithstanding the statements that without protection agriculture must go to ruin, and that the application of capital to land must entirely cease —when I see what is going on at this very moment, notwithstanding all the feeling which has been excited in the country, and all the apprehensions which have been aroused in Parliament and elsewhere— when I see this, and perceive that there are no practical symptoms of a decline of agriculture, and no symptoms of land being thrown out of cultivation—I confess, I say, I cannot bring myself to think that this system is essential to the due and perfect cultivation of the soil of this country. Again, if I am entitled to look at this question as one which does not bear and never has borne the character of permanence, the question becomes narrowed to a mere question of time. But the moment it is admitted to be a question of time, the principle of protection is gone altogether. There would, however, necessarily be great differences of opinion as to this point; but the moment it is admitted that the question is merely one of time, the question of principle is put altogether out of view. If it is admitted that the question is one of time, and not of principle, no man is open to reproach who avows his conviction that the time for an alteration of the law has arrived. This is the point of view in which I contend we are bound to consider this subject at this time. There are some circumstances to which I feel it my duty to refer, which have a peculiar bearing at this moment upon the present question. I will first refer to what I regard as a most important consideration—the great, rapid, uncontrolled, and uncontrollable increase in the population of this country. This is a consideration which deserves serious attention. The tendency of population, in any country, to press upon the limits of subsistence, is a maxim which does not admit of dispute; it is established by the soundest reasoning, and by the application of indisputable facts. If, then, population has a tendency to increase almost in a geometrical ratio, and if the production of food does not keep pace with that increase, it is evident that some means must be adopted for meeting the increased demand. It has been stated, that the population of this country is increasing at the rate of between 300,000 and 400,000 annually. Now, though the application of capital and skill to the improvement of land has tended greatly to increase the quantity of corn produced in this country, and has to some extent afforded a supply for the increasing wants of the population, it is a very remarkable circumstance, that during the last few years, though the price of corn has not been very high, there has been a regular importation of foreign wheat to a considerable amount for consumption in this country. Now, if this corn is not wanted, I wish

to know how it came to be imported into and bought in this country? Certainly, if it was necessary to bring into consumption these quantities of foreign corn, the fact is clearly established that the population has outstripped the means immediately possessed by this country of meeting their wants with regard to a supply of food. I may refer to another circumstance which, in the consideration of this question as one of time, applies with peculiar force. I refer to the position in which Ireland has been placed with regard to a supply of food. I am aware that considerable difference of opinion exist on this subject, and I do not wish to lay too much stress upon the circumstance. ["Hear, hear!"] I do not wish to lay too much stress upon that fact as an argument for the present measure.

The DUKE of RICHMOND: That is contrary to what Sir R. Peel says.

The EARL of RIPON: I do not see, my Lords, that I am necessarily called upon, in enforcing any particular measure, to say that my views of particular arguments are directly coincident with those of anybody else. I do not reject any views which have been put forth by the Government; but I may say that I do not lay any great stress upon the scarcity in Ireland, though I do think that it has a very great and serious bearing on this question. A deficiency of food in Ireland is not the same thing as a deficiency in this country; and the deficiency of that particular sort of food on which the Irish people chiefly subsist, necessarily produces indescribable misery and wretchedness. In Ireland those who suffer from the failure of the potato crop were persons who, in 99 instances out of 100, lived upon that food alone, which was the produce of their own land. The Irish people have not the resources of good wages, as we have in England. The wages in Ireland are very low; and there are hundreds and thousands of people in Ireland who derive no part of their subsistence from the wages of labour, but merely live upon the produce of a small portion of land—a circumstance which leads to so much competition for its possession, and to the evils and mischief to which such competition gives rise. When scarcity comes, there is no resource for the population of Ireland to fall back upon except charity. They are very charitable to one another, and assist one another as long as they have the means; but it is impossible that, under such circumstances, a large mass of people can be maintained in this manner. I know that it has been said that it is nonsense to talk of famine in Ireland, because there is no deficiency of crops of oats and wheat in that country; that while a large proportion of the people of Ireland is said to be starving, hundreds and thousands of quarters of wheat and oats are coming over to this country. My Lords, it is very true that wheat and oats do come to this country from Ireland, because here the Irish find a market for their produce; they can find no such market at home. If they have no employment and no money which will furnish them with the means of buying that which would otherwise remain in the country, their corn will infallibly come here; but that does not make their wretchedness less. The people of Ireland must be fed, and therefore the existence of such a state of things as scarcity in Ireland is a grave matter for consideration when we are deliberating upon the question of a supply of food for the Empire. It has been said that it would have been better to have suspended the present Corn Law; I think that would have been a most undesirable course; a suspension of the law ought never to be undertaken unless circumstances will entirely justify the application of such a remedy. When this plan was discussed in the other House of Parliament, it was said that if the law were repealed for a limited time to meet the distress which was now experienced, those who advocated protection would not be disposed to object to that arrangement; but I will ask, did it ever occur to the advocates of the Corn Law, who proposed that temporary suspension, that such a suspension of the Corn Law would destroy its vitality altogether? The principle upon which the Corn Law is defended, the principle upon which it has been supported, is, that it is capable of meeting all cases which could possibly occur—that the arrangement by which the duty falls as the price rises, and the duty rises as the price falls, would enable corn to be introduced into the country precisely according to the want indicated by the price. That is the theory upon which the law was introduced; and if it is not capable of producing that effect, of meeting any casual deficiency, that theory cannot be supported. The moment you come to suspend its operation you condemn its principle, by saying it is not capable of affording that relief which, according to your theory, it was intended to afford; and those, there-

fore, who say it ought to be suspended, cannot avoid seeing that if once suspended it will be impossible to revert to a system which was found to be incapable of maintaining itself. Now, with respect to the importation of foreign corn. I apprehend that the ground upon which this measure for admitting the importation of foreign corn is opposed by the advocates of protection, is the risk which we would thus run of throwing land out of cultivation.

LORD STANLEY: That is one of the grounds.

The EARL of RIPON: My noble Friend says it is one of the grounds; but in my view it is the only important one. I have ever viewed it as such. I have always looked upon it as the greatest ground of objection which has been urged, and I have never been able to ascertain upon what that argument has been founded. Why do they think that such a result would follow the passing of this measure? To what extent would the land be thrown out of cultivation? What species of land is it that would be likely to be thrown out of cultivation? I have never been able to ascertain that. But I know it has been stated that very large tracts of country would cease to be cultivated if this measure were carried; and as a proof reference has recently been made to particular districts, which would, it is said, in such an event fall back into their original barrenness, and become capable of producing nothing but rabbits. That part of the country is certainly one which has been as much indebted as any other district in the United Kingdom for its improvement to the liberality of the landlords, and the spirit, energy, and skill of the tenants; and it would afford every one who traversed that county pleasure to reflect on the difference in its condition which has been the result of its superior cultivation. There has been an admirable description of what it now is and what it once was, published by the hon. Member for Berkshire, which was printed in the *Royal Agricultural Journal*. The hon. Member describes what it was before its reclamation, and what it is at present. He describes it as a large district, which is cultivated in a manner that reflects honour upon those to whom the land belongs, and upon those who practically carried out the improvement for its cultivation. It is not, however, stated by the hon. Member (Mr. Pusey) that all this improvement has been the consequence of protection; but that district has been referred to by others as a proof of the effects of the Corn Laws; and the deduction has been drawn that if the operation of the Corn Laws were to cease, that land would relapse into its original sterility. I, however, see no reason to think that such would be the case, and may add that I know something about that district, for nearly all the land I possess in that county is on that very heath—Lincoln Heath—which I have let, together with portions of the fens assigned, to the heath farmers. That part of the district in which the lighthouse was erected a century ago for the purpose of marking the road—such a wild and barren track was it—belongs to me; but this has now been transformed into a fertile district, very much to the advantage of the owner of the ground, and of those who cultivate it. The owners of the soil in this neighbourhood, in the years 1809, 1810, 1811, and 1812, turned their attention to the expenditure of capital in the enclosure and cultivation of tracts of land which were susceptible of improvement, and thus they were brought into their present superior shape. The result of this application of capital and industry has been that this sterile district has become one of the most beautifully farmed parts of Lincolnshire; and I never heard from any of its present industrious occupants any expression of fear that this measure, if carried, would deprive them of the means of obtaining a fair return for their capital. I have heard no representations of that kind from the tenants—I heard of no desire to give up farms on grounds of that nature; and it so happens that when circumstances recently placed at my disposal a portion of my estates in that district, in the midst of all the alarms which were raised, and all the difficulties which it was said would follow any measure of this nature, it was my fortunate lot to let a considerable portion of my estate not at a reduced rent, but at positively an increased rent. What could be a stronger proof that the farmers in that district did not anticipate any risk of the land being thrown out of cultivation by a removal of the existing system of Corn Laws? The increasing population of the country is of itself a powerful stimulus to the application of capital in the improvement of the land. The people must have food; but it does not follow that the only means of maintaining that supply are to arise from importation. It does not follow that because a portion of foreign corn will

be imported, that no spirit and energy are to be applied to increase the production at home. For my part I see no cause to believe that such results would follow the termination of a protective system. With respect to the details of the Bill, I do not know that it is necessary for me on this occasion to go into them at any length, for your Lordships must all be well acquainted with the nature of its provisions; but there is one point on which a material difference of opinion prevails, and which I may allude to in passing—it is whether the termination of the existing protection ought to be immediate, or whether it ought to come into operation in three years from the introduction of the measure. As the Bill at present stands there is a modified protection to be maintained for three years; and although I have no apprehension that any evil consequences would arise if protection were to terminate at once, yet as it is wise that in questions of this kind sudden and extreme changes should be avoided; and if the protection terminates at no distant period, it appears to me that to insist upon its termination immediately would not be necessary, and would not be sufficient to counterbalance any disadvantages which might arise from pressing for it. I feel, my Lords—painfully feel—the imperfect manner in which I have dealt with this question; nor can I suppose that any observations I have made can operate in producing conviction on the minds of those noble Lords who hear me, and who are so well capable of forming their own opinions on the important subject before the House; but this I can truly state—that I do not feel, and cannot think that I ought to feel any blame at the part I have taken on myself—first, in being a party to this measure, and secondly, in proposing it to the House. I know it will be said to be inconsistent with what I have formerly done, and that the opinions that I now express may be said to be inconsistent with what I formerly uttered in this House. I know that extracts may be made from the records of this House, which may perhaps be described as inconsistent with the reasons which move me in proposing the second reading of this measure; but I take no shame to myself for the course I have taken, because the only cause for throwing blame on a change of opinion is that it has proceeded from bad motives. I am not conscious, my Lords, in being influenced by any bad motives; on the contrary, I entertain a solemn conviction of the advantages which this measure is calculated to produce. That opinion has been formed after much reflection—reflection which was stimulated, I admit, by the necessity for adopting an alteration in our present system; and I therefore repeat my solemn conviction, that in proposing this measure for your adoption, I am not proposing to your Lordships a measure which could be injurious to any interest, but which, on the contrary, will do good to all. I may be wrong in the opinion which I have formed; and in acting upon it I may have forfeited the good opinion of many who thought well of me, and who may suppose that I have abandoned unnecessarily a course which I have hitherto supported, and which many of my Friends have honoured me by supposing that I had supported well when I supported that cause. I supported it because I thought that in so doing, I acted rightly and consistently with my sincere convictions; and if I propose this measure now, from a conviction of its necessity, and because the reasons upon which I advocated former measures no longer exist, I hope I shall stand fair in the eyes of your Lordships when I tell you that this is a question which I feel I can recommend to your consideration as one in which all are equally interested. The noble Earl concluded by moving the second reading of the Bill.

The question having been put,

The Duke of RICHMOND: My Lords, I rise to move that this Bill be read a second time this day six months; because I feel in my conscience that no measure ever proposed by a British Minister to Parliament was more likely to inflict a deadly blow on British agriculture; and therefore more fraught with ruin to the nation at large than that which is now before your Lordships. I think, my Lords, we have just cause of complaint against my noble Friend who has just sat down, that he has not told your Lordships what in his opinion the price of corn will be if this measure should unfortunately pass into a law. My Lords, rash and blameable as I think they are, I cannot believe that Her Majesty's Ministers can be so totally reckless as to have introduced a measure, affecting so important an interest in the country, without having formed some estimate of its probable effects. And if they have done so, I ask, why withhold from this House information so necessary for fair, full, and impartial deliberation on this question? My Lords, it is most difficult

for me in any way to account for the conduct and proceedings of Her Majesty's Ministers since the last Session of Parliament, and more particularly during the memorable month of November; but the surmise I make upon this head is, that the measures now before your Lordships were not submitted to the Cabinet until the Members of the Cabinet were pledged by Her Majesty's Speech from the Throne. For I will venture to say, that if those calculations had been fully gone into—if the returns necessary to form a proper estimate of the results of the Bill, had been laid upon your Lordships' Table, and fully considered, the state of things would be different. My Lords, this is the first time a Minister has ventured to bring forward a measure of this importance without being able to form an opinion upon the point I have just adverted to: if I am wrong in that conclusion, my noble Friend the President of the Board of Trade can set me right, by producing the estimates. My noble Friend opposite (and here I beg leave to say, that I have not the slightest desire to impute anything to him but the most praiseworthy motives) will permit me to say, that although he has carried us back to a very long period of time, he has not touched upon the most important period in all these considerations. He carried us so far back as the year 1822; but, my Lords, he never said a word about the year 1842—and yet that is the very Bill which has most to do with the question—the very Bill we are called upon to repeal. The noble Earl went so far back as 1791. My Lords, we are not called upon to repeal the Act of 1791—neither are we called upon to pass an opinion upon the Act of 1822; but I say again we are called upon to repeal the Act of 1842. Upon that Act my noble Friend has not condescended to utter one syllable. My noble Friend was willing enough to advert to a former period; but upon this he was silent. I am now about to quote some words used upon former occasions by my noble Friend—and here I beg again to say that I make no personal attacks upon him; I quote his language because it conveys my sentiments in better words than I could hope to clothe them. My noble Friend, in 1815, said in the House of Commons, when he proposed the measure of that year—

"In looking to the principles which should guide their decision, the House ought to recollect that they were not now in the situation of arguing, for the first time, whether they should act on the principle of restriction or not. For not only on the subject of corn, but on all great branches of trade in this country, they had from time immemorial proceeded on a system of restriction. And, therefore, he contended they were not now placed in a situation of discussing first principles. They were not now for the first time to inquire whether they were to act on this principle or not. The system had been acted on for a long period, and we could not depart from it without encountering a frightful revulsion, which it would be dreadful to combat. It was not, therefore, a question between restriction and non-restriction, but how they were to apply principles that had been long called into action, to the existing circumstances of the country. This was the only ground on which he would now recommend the measures he was about to submit to their consideration."*

That is the remarkable and forcible speech made by a Gentleman named Robinson, in the House of Commons in 1815. I must now call my noble Friend's attention to a speech, not made by Mr. Robinson in the House of Commons in 1815, but by a noble Lord in this House in the year 1841. It is quite fair to say that at that time the noble Lord to whom I allude, was not sitting on the Ministerial benches. My Lords, the noble Lord was sitting on the Opposition benches. I will just read from his speech. I can assure my noble Friend that I don't want to hurt his feelings by arguing the Lord Ripon of 1841 against the Lord Ripon of 1846. I cannot, however, help saying, that I think it would have been better if the former opinions remained unchanged, and that I would much sooner be guided by his former than by his present arguments. In 1841 the noble Earl said, "Looking at the history of the nation, and the motives by which men were governed, he could not believe that, for the sake of giving a little extension to the trade in corn, they would all at once abandon the whole settled policy which had, for upwards of a century, been held. * * * It appeared to him that the Government scheme was false and vicious." (The noble Lord alluded to an 8*s.* duty, which was then proposed.) "Under the supposition that the project of the Government would be carried into effect, no man could have a reasonable doubt"—what follows, my Lords?—not any fears from Lincoln Heath—but "that a very large portion of the corn land in this country would be thrown out of cultivation." But if you wait for a moment you will see that you may get to Lincoln Heath:—"If the evil commenced, no one could say where they would stop, or what would be the disastrous consequences."* So that my noble Friend looked forward to the

* Hansard's Debates, Second Series, Vol. xxix. p. 800.

period when the lighthouse would be again of use. I now come to another speech my noble Friend made in 1842: here he takes rather a different view of the question:—

"The great evil which I anticipate from the adoption of the principle that all restrictions on the importation of foreign corn should be withdrawn, is this, that the people of this country would be compelled to depend on other countries for their supply of corn—not to meet an occasional deficiency, but to depend altogether on other countries for the main part of their annual supply—that such dependence would be leaning on a broken reed—and that they would be habitually in danger of the failure of that supply. No one doubts, my Lords, that the progress of agriculture in this country has for many years past been most remarkable. That progress has been such as to keep pace with the demands of the people (not entirely, for that was impossible), but has been such as to supply—not entirely, but almost—the wants of our greatly increased population; and that with very little addition from foreign countries we may be said to be able to rely on our own resources. From many causes into which it is not my intention, nor is it necessary, to enter, the cost of agricultural production in this country has become higher than in other countries of Europe."*

My Lords (said the noble Duke) this is still the case—but my noble Friend went on to say—

"It is quite clear from what I have said, that the amount of our agricultural produce has been brought nearly equal to the demand; but this could not have been done unless capital had been applied to the land, and obtained such a return as induced the capitalist to continue his investment; but if you take away the protection which has been given to our home produce, you will cause the withdrawal of some of the capital from the land; and, of course, the produce will be less, and you will then have to depend on foreign supply, not only for the amount you were in the habit of getting, but also for the amount you would lose by the withdrawal of a portion of the capital heretofore invested in the land."†

Then my noble Friend went into another topic. It appears that it was doubted by some of your Lordships, that the Bill of 1842 was not to be final. Upon this head my noble Friend said—

"If the Ministers have been guilty of the crime of endeavouring to deceive the people of this country on this subject, I can only say, that they would be guilty not only of the most miserable as well as the basest of political offence of which a Ministry could be guilty; but they would commit an act of inconceivable folly. I am convinced that this Bill will be received by you as a final adjustment of this great question."‡

It appears that a noble Friend of mine on the cross benches (we believe the Duke of Buckingham) was not satisfied with that declaration. He put the question again respecting the finality of this measure, when my noble Friend (the Earl of Ripon) replied—

"He certainly had not the arrogance to state that any law which Parliament might pass on this subject, or any other, must be taken as final; but there was nothing in that which should be thought threatening to those who might be apprehensive of ulterior consequences from the measure. All he could say for himself was this, that if he brought forward the measure, intending or wishing it not to be final, he would say so. He had never said that with respect to this measure. He hoped it would be final. He thought it would be a good thing if it were: and it would not be his fault if it were not."§

My Lords, my noble Friend, it appears, admits that a large sum of money has been expended on the improvement of land in this country. My Lords, a great deal of money was invested in that way prior to the year 1842; and I am sure that many of your Lordships here present will recollect that that money having been laid out on the faith that protection would be maintained, was one of the main arguments which was adduced to your Lordships, as well as in the other House of Parliament, when Motions were made for the purpose of inquiring into the Corn Laws. Has not that argument been strengthened since 1842? I read the speech of the Minister in the House when the measure was proposed, and it was admitted that a large capital had been expended on the faith of an Act of Parliament on this laudable and desirable object. Then, my Lords, I ask you, will you now pass this measure? Will you bring in a retrospective law for the confiscation of property? Will you deprive capital of its fair recompense? Will you debar the owner or occupier of the soil from the honest return which his money and skill deserve? Will you prevent him from receiving the fair reward of his industry? Will you, in short, violate the engagement which you formerly made to him under the solemn sanction of an Act of Parliament? My Lords, these men have been of great service to their country. It is a great benefit to the State to have improved the land. The condition of the agricultural labourers has been improved, and the fertility of the soil has been much increased. What does another authority say on this subject?—

"Under the system of protection we have lived for 200 years, extensive tracts of country have been reclaimed, by which the health of the people has been improved, their lives prolonged, and this, too, not at the expense of the manufacturing pros-

* Hansard, Third Series, Vol. lix. p. 50.

† Hansard, Vol. lxii. p. 575.

‡ Hansard, Third Series, Vol. lxii. p. 589.

§ Hansard, Third Series, Vol. lxii. p. 752.

perity, but in concurrence with its wonderful advancement."

I make that quotation, my Lords, because it is so applicable to the present time and to the present moment. But are your Lordships going to remove this system of protection which has so long existed, out of compassion for the condition of the working man and the operatives? I speak of the manufacturing and agricultural labourers generally, for I know that for all you entertain the deepest sympathy. I feel the same sentiments towards both. This part of the subject has been much misrepresented. The evil of protection to the operative has been insisted upon; but I ask your Lordships is there any country where protection does not exist that the following return could be produced? There are at the present moment in the savings banks 1,060,000 accounts of 27*l.* each. There are 600,000 depositors of 7*l.* each; and the total sum so invested in this country that has been "pauperised by protection" amounts to no less than 33,000,000*l.* sterling. I ask your Lordships whether, then, protection has been such an evil as it has been represented? My Lords, I may be forced by a majority to abandon protection, but with such statements before me I can never do so willingly. Never, with such statements, can my reason be convinced that it is a just and a good measure. My Lords, we are told by the manufacturers, who advocate free trade—no, I should not have said the manufacturers, but a section of the manufacturers—a section, in fact, of the Manchester cotton spinners—they tell us we know nothing of farming—they say, "All of you are blockheads; we will take your land from your hands, and bring capital to bear upon it." They do not say experience, and I wonder they do not—but what do they admit? They admit this, and mark it well: they admit that this change cannot be made without our being called on to remove from our farms 20,000 or 30,000 of the present occupiers. My Lords, they say you must remove them from their present holdings. But what is to become of these poor men? Where are they and their families to go? What will the poor labourers do, who are turned out of employment? Why they must all go to the union workhouse for their daily bread, or they must go, where I suppose the majority of them will go, into the manufacturing districts, and there it will be their lot to serve under those very men who have been the cause of their ruin—the destroyers of all their worldly prospects. My Lords, I know well that the section I allude to, wishes indeed to lower the price of produce in this country; they have adopted a system of hostility against the farmers of England, because they know the farmers have always been sincerely attached to our Constitution and to our institutions. They wish to lower the price of agricultural produce for another reason. They know that thereby they will throw the land out of cultivation—that the agricultural population will be forced into their towns, that competition for labour will be thus increased, and wages permanently lowered. They wish permanently to lower the wages of the operatives, and they wish that, not only that they may get the greater profits themselves, but also for the purpose of effectually preventing those "strikes" which seldom take place when the wages are low. Then I will ask your Lordships what will become of the yeomanry and tenantry who are not ejected? If production be so much diminished, and the poor rates so much increased, what, I ask your Lordships, can they do, but linger on a few years? It is, I have no doubt, well known to your Lordships, that in this country, generally speaking, when the prices of produce fall, the poor rates are increased. I have taken the trouble to extract from the Tenth Report of the Poor Law Commissioners; and although that Report does not come lower than 1843, I am prepared to show your Lordships that this has occurred. The noble Duke then read the following document:—

"There is an anomaly in the cost of pauperism to the population as compared with the price of wheat. When wheat was 55*s.* 3*d.* per quarter, the cost per head was 5*s.* 10*d.*; when wheat was 52*s.* 4*d.* per quarter, the cost per head to the population was 6*s.* 1½*d.*; showing that with a decreased price of wheat there was an increased cost of pauperism to the population.

"This anomaly is not confined to the St. Thomas Union, it is the same throughout the kingdom, as the following table, extracted from the Tenth Annual Report of the Poor Law Commissioners will prove:—

Years ending Lady-day.	Price of wheat per Quarter.	Rate per head upon the Population (1841) of Expenditure for In-maintenance and Out-Relief only.
	s. *d.*	*s.* *d.*
1840	68 6	4 8
1841	65 3	4 11
1842	64 0	5 1
1843	54 4	5 5

"If the price of wheat have any influence upon the cost of pauperism, the last year (1843) should have been the lowest, instead of the highest."

One of the attacks now made by my hon. Friend's new Colleagues of the Anti-Corn-Law League, is, that the British farmers have no capital no skill. My Lords, I believe there is no country in the world where the farmers are more skilful or more intelligent—more upright—or where they behave better to their poorer neighbours. And, my Lords, I think I am entitled to speak with confidence on this subject, for I believe I am acquainted with more farmers in this kingdom than almost any one in this House. I contradict most emphatically the assertion that they are not skilful; but with respect to their capital, I think it too hard that a Minister should turn round and taunt that large and industrious body of men with having no capital. My Lords, the heavy, unjust, and unequal manner in which they are taxed, coupled with the Currency Bill of 1819, has decidedly diminished their means, and narrowed their circumstances. But if they have not at present sufficient capital—if that be the complaint, how is it you propose to increase the capital which is to be the means of improving their land? Why, by diminishing the value of their produce. Yes, by diminishing the value of their produce. ["Hear, hear!"] Well, then, if you don't diminish the value of the produce, permit me to tell you you are doing a very dangerous thing, by raising or countenancing the cry of cheap bread. It is a dangerous thing to tell the people the effect of the measure will be to give them cheap bread, should they find it otherwise. I do not feel myself justified in trespassing longer on your Lordships' attention, because I have never for a single moment disguised the strong feeling which I entertain on this great and momentous question; and I think I am also relieved from troubling you, because the great majority of your Lordships think as I do upon this question. I do believe—and I state now what I said on a former occasion—that if a vote on this Bill was taken by ballot in this House, there would not, in my opinion, be a dozen of balls found for Aye. However, there are some of your Lordships who say, free trade must come in the end—there is no use in continuing the conflict—it is better to give way at once—there is excitement out of doors. I deny, however, that the great body of the operatives of this country are in favour of the measure. The Anti-Corn-Law League has never ventured to hold a meeting even in Manchester, that hotbed of their own sedition, without having recourse to the ticket system; they were not open meetings; but even if the feeling were much more in favour of this measure than it is pretended it is, it is no argument for the abolition of the Corn Laws, that some noble Lords say, protection must one day or another cease. Why, my Lords, if you once permit such an argument as this to be used, the very best of our laws will be endangered. We never vote against the Government, other noble Lords say, we don't like to vote against the Bill, we have always supported Sir Robert Peel, we don't like to abandon our party. Do not noble Lords know that it is not the party who have abandoned Sir Robert Peel, but it is Sir Robert Peel who has abandoned his party? And, my Lords, what good will it do to come forward to serve Sir Robert Peel now, and lose your own character for consistency, for there is no man in the country who believes that Sir Robert Peel will ever regain the confidence of the great mass of the people? It took that Minister twelve years to regain the confidence of his party after his conduct on the Catholic question in 1829; but he has no more chance of regaining the confidence of the people now, than he has of sitting upon the Throne of this country. Then, my Lords, I will call your attention to the motives publicly announced out of doors by some of the advocates of free trade. Why, they admit that their object is to crush the aristocracy of this country. One of them, I will not say the most respectable of the Members of the Anti-Corn-Law League, because he certainly is not the most respectable—Mr. Bright—well, Mr. Bright declared openly his desire to crush the aristocracy. I hope and trust your Lordships will all recollect that this is a question of vast importance—that you will remember, that in the eventful time which you must look forward to, it is of the greatest importance that the hereditary legislators of this country have a duty to perform, which they ought to discharge without fear, favour or affection—that you are bound to lay aside party feelings, personal considerations and political bias; and that you should vote strictly according to your consciences upon a measure deeply affecting the weal of a large mass of your fellow subjects. It is also incumbent on you to reflect upon consequences, to consider what will be in all

likelihood the effect of your sanctioning this measure. Is it expedient? If you concede this, will not other measures be brought forward for destroying the Church—for injuring our institutions—for subverting the constitution of your Lordships' House? If you will act well, you will be indeed powerful, because you stand firm in the good opinion of the great body of the people—of the intelligent middle classes of this country. But I tell your Lordships, with perfect respect, that unless you maintain that good opinion—and you cannot maintain it if the people find you voting against your former promises, your former pledges, your former opinions—you will be then powerless indeed. My Lords, in conclusion I will humbly, though at the same time most earnestly, implore you to vote against this measure, because I believe if you do not reject the measure, it will be accepted only as an instalment for the future—as the commencement of great changes. Influenced by these feelings and by these considerations, I ask you now to take up your post manfully in front of the battle; for, unless you do so, you will hereafter find it impossible to maintain your ground. For myself, my Lords, I vote against the Bill, believing, upon my honour, that it is only the first of a series of such measures—that it is a measure which, if carried into a law, will shake the very foundations of the Throne, will cripple the Church, endanger our institutions, and convert our hitherto happy and contented people from a state of comparative comfort into one of misery and wretchedness—because I believe that it will lead to endless confusion and anarchy. For these reasons, your Lordships are now called upon to make that stand which I humbly and fervently trust you will.

The Question and Amendment having been put,

EARL FITZWILLIAM said: My noble Friend who has just sat down, read in the conclusion of his speech a formidable list of dangers with which he has threatened your Lordships if you consent to this measure. I think my noble Friend would have done well if he had pointed out with more distinctness the grounds on which he expects that your acquiescence in this measure will lead to those terrible results. I entertain none of these apprehensions. I must deal with the measure, as I think your Lordships will deal with it, as a measure of national policy, without any reference to those fears which my noble Friend has conjured up and nourished in his own mind in order to alarm this House of Parliament. I shall not, therefore, go into any part of the speech of my noble Friend on the cross bench; neither shall I trouble myself with the three-quarters of an hour of apology with which the noble Earl opposite ushered in the measure, on which he barely condescended to bestow the remaining quarter of an hour; though, with respect to that remaining quarter, I cannot but concur with the noble Duke who last addressed you, that we had some right to expect from the Government an explanation of the state of things which, according to their view, called for and would result from the measure they have now proposed. If my memory does not mislead me, my noble Friend on all former occasions—and he is a man of a large experience on these subjects—always condescended to inform the House of Parliament (whichever it was that he was addressing) of the state of things to which he expected his measure would lead. But not so now—he leaps at once to his conclusion, and calls on you "at once," in one sense, though not "at once" in another, to pass from restriction to free trade—free trade for which I have long contended, but which I hardly thought to have obtained from my noble Friend. I must, however, defend him from the charge of inconsistency, because I am free to acknowledge that he always, not only now, but on all former occasions on which he has proposed any alterations in the Corn Laws, has avowed himself an enemy to the imposition of a duty on the import of foreign grain. The warfare which I have been so long engaged in is now brought to an end; and I confess it gives me the greatest satisfaction to contemplate the peace and tranquillity which I shall hereafter enjoy. Here is an end of the question: my noble Friend near the Table (Earl Stanhope) may depend upon it that when this measure has passed, not even he will come down to propose a revival of the Corn Law; for, most undoubtedly, although I think it was the duty of the Government to explain to the House the effects they think the measure will produce, I am not one of those who think that it will lead to any disastrous consequences to the landed interests of the country. And, indeed, circumstances have come to my knowledge, even since this measure was introduced into the other House, which prove that no such apprehensions are entertained either by the landed interest in their dealings

with their tenants, or by their tenants in their dealings with their landlords. But though I hail with great satisfaction the peace and tranquillity which I anticipate, since I shall be relieved from the necessity of making those Motions with which I have so often troubled your Lordships, nevertheless I must speak my mind frankly upon this subject. I am about to vote for this Bill. I believe it will be carried by a great majority; but I am free to say, that if it had been my lot, on any of those occasions to which I have referred, to have succeeded in inviting your Lordships' attention to this question, the Bill now before your Lordships is not the one which I should have asked your Lordships to sanction. I am not one of those who deal in language which I think more fit for ancient ladies than grave statesmen, who talk about the cruelty of taxing the necessaries of life. I am not one who believe that there would be anything inhuman in maintaining, even under the pressure of scarcity, a duty on the import of foreign grain. I do not believe that there would be any difficulty in levying that impost. In this respect, therefore, I disapprove of the present Bill, because I think we have thrown away a large revenue which we might have raised, and which you must replace by other taxes, either to be continued or imposed—I say, either to be continued or imposed, because under even that system of law which having been condemned by the House of Commons, and which I now anticipate will be equally condemned by your Lordships, I may venture to call an absurd system, a large revenue has been raised. The other House must find a substitute for the revenue which they have lost; where it is to be found I know not, whether from an increase of the Income Tax or of the Excise duties, if the Excise duties can be further extended. It so happened that when I was first made acquainted with this proposed measure, I was at a great distance from this country. I heard, then, that it was said in the House of Commons that Gentlemen were not to look at the repeal of the Corn Law as an insulated measure, but that they must look at it in connection with other measures, and they would thus see what would be given by way of compensation. Now I, who do not expect that the landed interest will suffer from this measure, do not think that much compensation is required; but others view it in a very different light. When, therefore, I heard of compensation, undoubtedly I thought, and not a very unnatural thought, that as there was to be an end of what had been considered a great boon to the landed interest, some benefit would be conferred on it instead. I was told abroad that the whole system must be viewed together, and I consequently thought there would have been a total revision of the taxation of the country—not that there would have been a new Customs Tariff (for that is a different thing), but a complete revision of the Excise laws; and I fancied, in the sanguineness of my expectations, that it would just be possible that Her Majesty's Ministers, who thought so little of mere revenue, that the loss of 500,000*l.* or 600,000*l.*, or 700,000*l.* raised on foreign corn was of no importance, would have proposed at least a diminution, if not the entire repeal, of the malt tax. I certainly expected something of that sort, and I think that that would have been a large and comprehensive compensation for those who thought compensation necessary. I know not whether all agree with me in this; perhaps my noble Friend (Lord Monteagle) does not—but my noble Friend has been Chancellor of the Exchequer, and like all Chancellors of the Exchequer has his own peculiar idol—but for myself I certainly thought that the landed interest had just reason to expect a great diminution, if not an entire repeal, of this tax. I consider the malt tax to be a tax which weighs most oppressively upon the landowners of this country. I know it to be most unequal, and I regard it also as an unnecessary tax. I know that in the main it is a tax upon the consumer; and I think, when we are untaxing the consumer's bread, that we should also untax his beer. But I think that this tax is a sort of Janus—that it has two faces—that it looks behind as well as before—and that in reality it not only taxes the consumer, but also the owners and the occupiers of the land; especially the latter class; because, perhaps of all persons, the occupiers of land and those in their employ are the greatest consumers of that article, which they are prevented by this unequal impost from manufacturing even for their own use. I am aware that the giving up of this tax would involve a large addition to other imposts; but I am favourable to such a course. I think that the income tax should be abolished; but I should wish to see a large addition to the property tax —not to the old land tax, because that is done away with—but to taxation on the real property of the country. But, my Lords, there is another point in which I

exceedingly disapprove of this Bill; and I am astonished, except it be for the purpose of maintaining a paltry rag, the smallest remnant of consistency, that we are to have a little bit of a sliding-scale kept up for three years to come. What on earth can be the use of it? I speak, I may almost say, as a witness upon this subject; for I have taken pains to ascertain the feeling of the agriculturists in the counties with which I am connected, and I believe that the almost universal desire is for an immediate settlement of this question. I have always been of opinion, and I have ever stated it with confidence, that when you began to deal with the Corn Laws, you should decide in your own minds what the state of the law should be, and that you should come to that state at once. I have always opposed the gradual abolition system. It may be a system favourable perhaps to the landlord; but it is most injurious to the tenant; for in every bargain that might be made during the currency of this protection, a great advantage would be given to the landlord over the tenant. For this reason, had it been my lot to have proposed a law upon this subject, I should have proposed a different one from that which is now before your Lordships. As it is, I am not surprised at the indignation which the Bill has excited. Unfortunately it seems to me as if there had been a sort of race—a kind of St. Leger or Derby—in this matter. The First Lord of the Treasury got ahead upon this occasion, he determined to take advantage of it, and he has gone for the full measure. Well, insomuch as it gets rid of the question, I rejoice at it; but I do think that it is one of which your Lordships have reason to complain. I disapprove of it, but I must vote for it. I am driven into that course, and there is no help for it; because I must either vote for this Bill, which is a money Bill, or I must run the risk of losing the measure for this year, and perhaps of losing it more permanently. I value the abolition of the Corn Laws too much to run even the slightest risk of such an event. I perhaps ought not to say what I am going to say, but certain noble Lords have said to me, "Will your Lordship help us?" My Lords, I was obliged to say "No," I can give you no help: you never helped me, and you have therefore no right to ask me to help you. I do not know that my assistance would have been worth much, even if I had been willing; but I could not give it consistently with the great object which I have in view in the condemnation of these laws. I think however that this House has much reason to complain of the Government. I ask Her Majesty's Ministers why, in propounding a measure of this magnitude—and which must have been proposed to the surprise of all your Lordships—why they proposed it in such a way as precludes all your Lordships from making any amendment in the measure? I repeat, was such a course either right or decent? They may say that they had no other course; but that is not the fact. They had another course. It is in accordance with precedent that in measures of this great importance Resolutions should have been moved in the other House, and should have been communicated to this House in the first instance. I think that would have been the proper course for Her Majesty's Ministers to have pursued. Your Lordships could then have entered into a full consideration of the measure in conjunction with the other House. You might have stated your views, and might have negotiated with them; but now, the ground is cut from you, and you cannot enter into any such negotiation. The smallest accident to this Bill loses it, and I am not one who will run such a risk. Adopting, not the opinions of the noble Duke on the cross bench, but adopting all the views which he expresses with respect to the conduct of the Government upon this question, I feel necessarily precluded from acting in any other manner than I am about to do. I implore your Lordships not to resist this great measure; and this appeal I make not only to those who agree with me in wishing to set it at rest for ever, but to those also who think that the existing laws should be maintained as being calculated to maintain the best interests of this country. Whatever opinion you may entertain upon this question, there is one point on which you can entertain but one opinion, and that is, that if you reject this Bill, you prolong that conflict of opinion, and that contest for a repeal of these laws, which has been so mischievous to every class of society, and from which, give me leave to say, no class has reaped such bitter fruits as the agricultural interests of this country.

The DUKE of CLEVELAND said, he was unwilling to give a silent vote upon this measure, and he must therefore trouble their Lordships for a short time. He had long placed the greatest confidence in the political integrity of the Minister who had

brought forward this measure, whether in or out of office; and it was, therefore, with no ordinary feelings that he found himself compelled on this occasion to sever himself from a Government which he had always hitherto endeavoured to support. For the head of that Government he had ever entertained the highest respect; and he had always entertained the same feeling for the noble Duke (the Duke of Wellington), from whom he was now compelled to separate. This change had arisen from no whim and no caprice on his part. It was occasioned by what he considered to be a total abandonment of all principle on the part of the Government. He had had a correspondence with the noble Duke at the commencement of the year 1843, when that noble Duke had the kindness to offer to him the moving of the Address in the House of Lords in answer to the Queen's Speech. Agreeing with the Government in all its principles, he felt complimented by this offer; but then there was one circumstance of which he could not avoid taking notice. There was then a rumour that it was the intention of the Government to make a material alteration in the Corn Bill, which had only been brought in the year before. He communicated this to the noble Duke, and asked his permission to be allowed to declare that the rumour was not only unfounded, but that, as far as the present Government was concerned, the measure was to be regarded as final. To that request the noble Duke said he could not accede, as it would be allowing a greater license than usual; and he therefore declined moving the Address. He had now to observe that when this Bill was first brought into this House, the noble Duke (the Duke of Richmond) had drawn a distinction between private and political honour; and the noble Earl (the Earl of Ripon) said he would not admit of such a distinction. He agreed with the noble Earl on that point; but if consistency was to be comprised in political honour, he must say, that after the statement made that night, and after the extracts which the noble Duke had read of speeches made by his noble Friend on former occasions, his noble Friend could not be quoted as an example. As to the measure then before the House, he thought it unprecedented for its boldness, as it was dangerous in its application, and sudden in the mode of its introduction. It was a dangerous and a hazardous experiment. If it did not succeed it was an irreparable evil; for whatever its consequences might be, they must remember that they could never retrace their steps. It was a measure conceded to agitation by a Government, which agitation ought to have been suppressed by the Government, if the Government were determined upon doing its duty. Let it be admitted that there ought to be a protecting duty on grain; yet it might be said that protecting duty was too high—that it was higher than on other articles of British manufacture. Still he said, admitting that, the question ought to be asked, why was it so high? and the answer was, simply in consideration of the heavy burdens and taxes imposed upon land which prevent our farmers competing with foreigners on equal terms. He had often said, both in and out of Parliament, that let their tithes and poor rates be equalised—let them bear but the same proportion with other parts of the community, and then the land would not require a higher protection than any other domestic interest in the country. The noble Earl (Fitzwilliam) who had just sat down, had referred to the compensations that had been promised to the agricultural interests, and had said the measures ought to be taken as a whole. There could be no doubt that the Premier had promised certain concessions to the agriculturist, and he had said they were to be embodied in this Bill; but their Lordships were well aware there was no such thing. He felt that there was a great deal of complication in the arrangements proposed by the Government; but as they boasted of being able to overcome every difficulty, he felt it was for them to extricate themselves from the labyrinth as they best could. He would now allude to the concessions which had been promised, which he could only gather from the Prime Minister in his speech, and which formed portions of the Tariff. The first concession was a reduction of the duty upon linseed, from which the farmers were promised great benefits. Now, as to the main sufferers, the small farmers, there was scarcely one of them that used oil cake; they could not afford it, and therefore the reduction would be of very little service to them. The next compensation consisted in the free introduction of cloverseed; but the farmers of this country generally grew their own clover, and they would not be materially relieved in that way. The next reduction was that in the duty on French brandy. He could state that when the small farmers—in that part of the country,

at least, with which he was best acquainted —brought their produce for sale on market day, and drank their brandy and water, very few of them knew that there was any brandy imported from France. What they drank was a British compound, very much resembling French brandy in colour, but having no other of its attributes; and he believed that a repeal of the duty levied upon brandy French would not be of the least use to English farmers. There might be other articles upon which concessions were made, but these were all that he was aware of as being made to the British farmer; and if these compensations amounted to nothing, so much the more oppressive would be the measure which was now under their Lordships' consideration. Well, if this was the case, this measure was the cruellest, the most oppressive, and the most injurious that had ever been attempted to be passed by a Legistature against an industrious, a loyal, and an independent class of men—a measure adopted in order to oppress them with a view to benefit another class who were notorious for their disloyalty, turbulence, and discontent. If this measure had emanated from any Member of the late Government, he should not have been in the least surprised, because in proposing it they would have been doing nothing more than acting in accordance with the principles upon which they had hitherto acted, and for acting upon which he gave them the greatest possible credit, because they had always been perfectly consistent; and he very well remembered that the very last notice of a Motion which Lord J. Russell gave when leader of the Government was for a fixed duty of 8*s.* a quarter upon wheat, and a proportionate reduction upon other descriptions of grain. He remembered very well that that notice was literally scouted by every side of the House—not only by the Members of the Conservative party, but by a great number of Whig Members who had always supported the measures of that Government. But there was no one more loud against the proposition than the present First Lord of the Treasury himself; and the immediate consequence of the notice was, that on the following day the right hon. Gentleman assembled at his house a small number of his political associates, of whom he (the Duke of Cleveland) had the honour at the time of being one, and consulted them as to what was best to be done to save the country from so dire a calamity. Other noble Lords, now in that House, were also present at that meeting. His noble Friend on his left was one—the present Postmaster General he believed was present—the late Postmaster General he knew was. And what was the result of the deliberations then held? It was that Sir R. Peel himself should give notice of a Motion of want of confidence in the existing Government. That Motion he did make in a very able speech, as he always did, but he rested his case chiefly, if not entirely, upon two points: the first was the alteration of the Sugar duties, which had already been brought before the House, and upon which the Government had been beaten by a very large majority; the other was the alteration in the Corn Laws to a fixed duty instead of the sliding-scale. He need hardly remind their Lordships of the issue of that struggle. After four or five nights' debate the Motion was carried by a majority of one in the largest House perhaps that had ever divided. The numbers were 310 on one side, and 311 on the other, which, with the four tellers, made 627; the largest House, he believed, that had ever come to a division in the House of Commons. It might be assumed that his (the Duke of Cleveland's) vote was the one that had turned the scale; but although he had done this, and it might be very fair for those who disagreed with him to find fault with him for doing so, yet he challenged any one to prove that, in the course of his political life—not a very short one—he had ever given any two votes, the one of which was in direct contradiction to the other, or ever given one vote which was not dictated by the purest and most conscientious conviction. He knew it might very fairly be said, "When you gave that vote, do you deny that it was given for a party object—for the purpose of dislodging one Government and placing another in its room?" In one sense he gave a frank admission that the vote was a party vote. He had been a party man all his life. He did not think it was derogatory to any man to belong to a party. On the contrary, he thought it was the bounden duty of every man who took an interest in public affairs to attach himself to a party, as the only means by which the views he entertained could be carried out. But although he had always belonged to a party, it must be remembered that he had not always belonged to the same party. He had stated the course he had taken on the occasion in question; but, although he had given that vote at the time for the purpose of displacing one Go-

vernment, and putting another in lieu of it, he assured their Lordships with the utmost sincerity it was not because the name of the leader of one party was Peel, and that of the other Russell, that he did so, but because he approved of the principles advocated by the one, and consequently thought those of the other detrimental to the interests of the country. But at the same time, if he could have foreseen that the same Minister who had always up to that period advocated protection to agriculture with so much ability, and held it up as the keystone of our Conservative policy—if he could have imagined that within five years that same leader would abandon all those principles, he would sooner have cut off his right hand than have given that vote. Even since the meeting of Parliament and the introduction of this measure, he confessed the late speeches of the Prime Minister, as reported, had filled him with astonishment. Although he had paid great attention to the right hon. Gentleman's speeches, and acknowledged the ability of his arguments, he must say that he could not discover the slightest justification for the policy he was now pursuing. No doubt the right hon. Gentleman had brought forward able arguments in support of a repeal of the Corn Laws; but they were the very same arguments which had been heard for years from Mr. Villiers and Mr. Cobden, and which the right hon. Baronet had then so strenuously and so zealously opposed. This being the case, he could not see what sudden new light had broken in upon the right hon. Gentleman. Let their Lordships recollect that the present Corn Bill, which was only of four years' standing, was of the right hon. Gentleman's own bringing in, and was intended at the time, as had been stated by the noble Earl who moved the second reading of this Bill, to be final. Every one imagined so. He thought it an improvement on the existing law. The right hon. Baronet, before he introduced the Bill, was kind enough (he was sure he did not know for what reason)—he was kind enough, before the Session commenced, to send him (the Duke of Cleveland) a rough draft of the Bill, and to ask his opinion and approval of it. He had no hesitation in saying that he did highly approve of it. Many of his friends disagreed with him; and his noble Friend behind him (the Duke of Buckingham) threw up his seat in the Cabinet in consequence. He thought his noble Friend wrong in doing so; but after what had since occurred he gave his noble Friend credit for more penetration than he (the Duke of Cleveland) possessed, and now felt that his noble Friend was right and he was wrong. Although he had received a draft of the former Bill, he need hardly say that he had been favoured with no perusal of this. He did not complain of this on his own account; but he thought that before they introduced a great measure like this—making a total change, not only in the policy of the Government, it was the duty of that Government to have assembled their friends, to have informed them of it; and, if they had strong and powerful reasons — as he supposed they had—for enforcing such a measure, to have put their friends in both Houses of Parliament in possession of those reasons, and not to have betrayed them in the manner they had done. What were the objects of this Bill? Their Lordships were told that the right hon. Baronet, with those plausible arguments of which he was so able a master, had converted many landowners who had entertained opinions opposite to his own; that he had made converts of them; and induced them to adopt his opinions. He (the Duke of Cleveland) did not find fault with any man's opinions, nor had he a right to do so; but he wished to impress upon their Lordships that, however many classes might suffer by this Bill, the great and wealthy landowners would not be the greatest sufferers. The small landowners—the country gentlemen —would be greater sufferers; and there was a still more important class, the yeomanry, who were justly considered the pride and honour of England—those who had about 300*l.* a year in land, whose whole sources of income were drawn from the land—who lived upon their farms and cultivated them themselves—they would suffer still more severely. Whatever reduction might take place in the value of agricultural produce—whether 20 or 30 per cent—the loss would fall upon the yeomanry most heavily—in short, it would almost annihilate them as a body. The next large class of society that would be severely injured were the tenant-farmers. He had frequently heard it said—but the argument was so absurd that it would not be used by their Lordships or by any one who understood the management of land—that this was a landlord's question, and not a tenant's—that the rate of price would not affect the tenants if the rents were re-

duced in a similar proportion. Those who used this argument had no reflection, or they did not know the fact, that in South Britain the agreement between landlord and tenant was universal—in North Britain it was not so; but throughout the whole of South Britain the tenant, when he entered upon his farm, paid every charge except the landlord's property tax, and that he paid in the first instance, but was allowed to deduct it from his rent. He had all the expenses of labour and cultivation, was obliged to incur the risk of diseases in his live stock—to sustain the losses arising from failures produced by unfavourable weather and other causes. When all expenses were paid, the surplus profit was divided in two parts between the landlord and the tenant. Now what was the general rate of rents in these cases? He did not exaggerate the argument when he said that no landlord received more than one-fourth of the gross produce: few received so much; but he would take it at one-fourth. Suppose a farm at the rent of 300*l.* a year: the gross produce of such a farm would be 1,200*l.* a year; suppose the reduction in the value of that produce by the operation of this Bill to be 20 per cent. By this reduction, the landlord's rent would be diminished from 300*l.* to 240*l.*; but the other 900*l.* was the property of the tenant, and consequently the reduction of 20 per cent would leave him only 720*l.* instead of 900*l.*, so that the tenant lost 180*l.*, while the landlord lost only 60*l.* He would ask them whether this was more a landlord's or a tenant's question? He would now come to a very deserving class, and the one which was the most numerous of all, he meant the agricultural labourers. What was to become of the thousands, the tens of thousands, nay he might say the hundreds of thousands, who must be thrown out of employment, at least on the poor soils, which could not be cultivated under the operation of this Bill. Let their Lordships bear in mind the peculiar tie that exists between the occupiers of land and the labourers—a kind of contract which subsists in no other case between employer and employed. Their Lordships were aware that a journeyman tailor, for instance, works this year for one master, another year for another; so also a journeyman shoemaker, and others of that description. But the agricultural labourer is rooted to the soil; he has never worked for any but the one master; he works for him from year to year, and there is a tie between them—a bond of amity and affection, which is to be found in no other class. This tie would be broken if the measure should operate as he expected. In the first place, the small landowners, of whom there were great numbers, in order to save expense, must live on the Continent. The labourers who had hitherto been looked upon as heirlooms on the property, must be swept away. Then with respect to the tenant occupier, where he would retain labourers, he must, in order to reduce his expenditure, diminish the number. Necessity would oblige him to do so. What was to be the resource of all the poor people thus dismissed? They were told, that in proportion as the land was thrown out of cultivation, factory mills would be increased in number, to give employment to the surplus population. He implored their Lordships to pause before they passed so fatal a decree as this displacement of agricultural labour. He hoped they would look at the consequences that must flow from it; he trusted they would contrast the condition of the agricultural labourer at present with what it must be if this Bill passed. He was, as it were, fixed upon the one property. He passed his life in humble, but, nevertheless, independent circumstances: living in the bosom of his family, he exercised his daily toil amidst the sweetness of a salubrious air, and wholesome atmosphere. Look at him after this measure should have passed, and see him condemned to pass his life in a crowded building, in a pernicious atmosphere, healthy and sick, strong and weak, huddled together, never beholding the light of day; but living from morning till night in a dense fog, and a pestilential air. Having troubled their Lordships with these three classes belonging to the land, he should not go into detail with respect to other classes which were in a great measure dependent on it for their subsistence; but he would shortly mention some of them. There were the small shopkeepers in country towns, the artisans, and various others, who derived almost the whole of their subsistence from the owners and occupiers of land; but after them came a class of a superior description, and whom he maintained to be not altogether unworthy of their Lordships' consideration, when they reflected upon the nature of their calling, the respectability of their station in life, and the alms which they were bound to distribute and did distribute, among the poorer members of their flocks—he meant the paro-

chial clergy. No class would suffer more than they would; and he hoped the right rev. Prelates would consider their interests, and protect them from the operation of this measure. He looked upon the parochial clergy as the greatest sufferers from this measure, because the landholders could, by skilful farming and improved modes of cultivation, increase the produce of the soil. By the former law, the clergy would share in the benefit of that increase; but by this they would be precluded from doing so, because in their case while the quantity was fixed the price would vary. And now he must ask, what was to be the upshot of all this, and what were really the views of the Government? Did they really think that by such a measure as this, they would put an end to all the agitation? Did they suppose that this Bill would for ever shut the mouths of the Cobdens and the Brights? That measure could be considered in no other light than as a stepping-stone to ulterior measures; he had no hesitation in saying that the next point of attack would be the Irish Church. Considering that on that measure Her Majesty's Ministers were not acting according to their own desire — considering that they had yielded to clamour—what security had their Lordships that they would resist a clamour which might, nay which would, be got up against the Irish Church? And after that was gone, would not the English Church be attacked also? There were many persons even now who advocated the voluntary system: that was a feeling which would not diminish. He contended that if that measure were passed, many years would not pass by before they would see the demolition of both the one and the other. Entertaining these views, on which he had ventured such predictions, he conjured their Lordships to pause before they gave their assent to a measure which was sure to be followed by such consequences. The House of Lords had always stood high in the estimation of the people; it had at all times been believed to be an independent body; the support which had been given by particular Members of it to a Minister, had originated in no interested motives, either with a view to official employment or from seeking any of the honours or distinctions in the power of the Crown to grant; and as such had been the character of their Lordships' House, he trusted that that character would now be maintained. They all knew that an old building, not far from their Lordships' House, was much infested with a description of vermin which were denominated rats; he trusted the noxious animal would never be seen running across their Lordships' floor. He had to apologize to their Lordships for occupying so much of their time. If he had animadverted too strongly upon the conduct of any of his noble Friends, he could assure them that he had not done so with a view to give offence; nothing was further from his intention: but placed as he was in the position of an independent Member of their Lordships' House, he would endeavour upon all occasions to do that which he considered his duty; and that, in his opinion, was so to vote as to advance those interests which were best for the country at large, and for the benefit of the whole community, and with those feelings he would give his vote for the Amendment of his noble Friend.

The MARQUESS of LONDONDERRY apologized for his rising to address the House at the same time with the noble Earl (Fitzwilliam), but he confessed he felt anxious to address their Lordships after the speech of his noble Friend the noble Duke; and he felt in a manner called upon to do so, because they were inhabitants of the same county, and were in some degree connected with the great interests of that county. He had not had the good fortune to be in the House when the noble Duke presented the petition from the county of Durham; but he might in a few words state what he was sure his noble Friend would admit, that the meeting at which that petition was voted, was held before there was any explanation by Her Majesty's Government of the course which the Prime Minister intended to pursue, and it was only attended by the landowners and occupiers in and around Durham; but the petition was afterwards handed round the county for signature, and the total number of signatures obtained, after all, was between 2,300 and 2,600. Now, the county of Durham comprised 12,000 registered farmers and freeholders in the two divisions of the county, being about 7,000 in the one county, and 5,000 in the other; and seeing that 2,300 was all they could get to sign the petition, he had no fears that even if a dissolution of Parliament were come to, there would be four protectionist Members returned for the county, or that there would be a single protectionist Member for either of the two divisions. He believed that the general feeling in the north of England was in favour of this measure, and that the farmers there

entertained very different views from what were entertained in the south. He would not pretend to the same acquaintance with the farmers of the kingdom as the noble Duke (Richmond); but he might state, that even after Sir Robert Peel had proposed his measure, he called upon a farmer, a friend of his, in Stockton-on-Tees, and asked him what he thought of the scheme? He said, "Oh, my Lord, I am quite satisfied!" He (Lord Londonderry) asked him what he meant, and he replied, "I am satisfied it will be for our benefit, for the farmers must now grow two blades of grass where before they grew only one." With regard to the question before them, he admitted that it was one of immense importance, of great embarrassment, and of great difficulty. He felt that it was an experiment—that it was a great experiment; but having given his confidence to a Ministry who had already carried the country through so many difficulties—who had succeeded to the situations of noble Lords opposite, and with their situations had succeeded to a revenue which did not meet the expenditure, which they had most successfully remedied—when he found that the foreign affairs of the country were administered by a noble Friend of his, who discharged his duties to the general satisfaction of the country, and, he believed, of all Europe—when he found that all the other departments of the State, as well as the Army and Navy, were carried on in the most efficient and triumphant manner—when he found that all this was the case, he was at a loss to know why he should change his opinion of the Government, and put himself in direct opposition to them on a question which, after all, he maintained, was more a question of rent-roll and of profit, than one concerning those high principles of policy on which this country should be governed. They found that there were now Whig protectionists and Whig free traders, and Conservative protectionists and Conservative free traders, so that, in fact, it was not a question of party at all, or of one on which were ranged on one side those connected with the interests of agriculture, and those connected with commerce and manufactures on the other. It was unfortunate that they should be brought into such a situation as this, because it was difficult, from the exaggerated statements made on both sides, to form a deliberate judgment on the question. He felt he must admit that he was incompetent to follow the noble Duke through the whole of his able statements; but, for himself, he must say that he generally took, where he was not able to form an opinion of his own, the opinions of those with whom he generally acted in public life. He found that those individuals—one and all of them—who had carried the country through a dangerous crisis, had all found it expedient to change the opinions which they had formerly held. But change was no matter of reproach to any man. If change was to be made matter of reproach, let them look at the last division in their Lordships' House on this question. The noble Earl (Earl Fitzwilliam) stated, that he believed this measure would be carried by a very large majority; but how many of their Lordships had ever voted for it before? Why the largest number of their Lordships who had ever before voted for the total repeal of the Corn Laws was only six. So after that, and considering that a majority was now to vote in its favour, he thought there could be no accusation on the subject of change. The noble Duke who had moved the Amendment, he regretted to say, had been a little personal. He had turned to the conduct of his noble Friend the President of the Board of Control, and by an industrious searching of *Hansard*, he had got up a considerable number of his noble Friend's speeches made at former periods, and he had quoted them as if they proved a great triumph over his noble Friend. But there were some not very small changes in the noble Duke's own opinions; and if he were to look up *Hansard* with equal industry, he thought he should be able to make out as good a case against the noble Duke—he would perhaps be prepared to do so at another time. [The Duke of RICHMOND: I challenge the noble Earl.] There had lately been some very sudden changes in public characters; military men and sportsmen were about to become statesmen; but he doubted if they would ever succeed the noble Earl against whom and whose Colleagues they were so fiercely inveighing; and if they did, he should put a question once asked by the noble Duke (the Duke of Wellington), viz., "How is the Queen's Government to be carried on?" Was there not in 1829 the same clamour? Was there not, then, the same sweeping charge of change of opinion? And what had been the consequence? Why, the country applauded and proved their approbation of the statesmen implicated in that change; and if next year Sir

Robert Peel could point to his Tariff and to the revenue, and could show that his experiment had succeeded, would not the clamour now raised cease? Let them give to this experiment a fair trial, and let them, until the result proved they had trusted without reason, continue their confidence in the Minister who had brought the country to a state of unprecedented prosperity. The noble Duke had finished his speech with a prophecy; but in entertaining these fears for the future, the noble Duke must be supposing that his (the Marquess of Londonderry's) noble Friends who acted with Sir Robert Peel would become parties to the future changes. Sir Robert Peel had, himself, on the 27th or 28th of March, declared, after expressing his sense of the aid given by the noble Lord (Lord J. Russell) and other Members of the Opposition, in passing the measure, that on its passing, his opinions and his policy would be as distinct and as widely separate as ever from the noble Lord's, This was a very strong proof that the right hon. Gentleman did not, in bringing forward the measure, which he thought essential, in any way alter the principles by which heretofore he had been guided. He had none of the fears expressed by the noble Duke; and he, for one, would never give his support to the Ministry which proposed such changes as those referred to. He was firmly persuaded, in regard to the Corn Laws, that every Prime Minister since Lord Liverpool had, in his conscience, felt that the time must eventually arrive when those laws would have to be repealed. The gradual relaxations in their restrictive legislation had been, in each instance, succeeded by a prosperity greater than before, and these results justified him in the vote which he would now give for a still further relaxation. He did not think that any of the evil consequences predicted would follow upon the alteration; and, as to his own country—Ireland—he was convinced no injury would be felt there. He had already stated his opinions on the subject of the scarcity in Ireland. He defended the right hon. Baronet for having availed himself of the circumstance: if the object to be attained was the good of the country he was right to avail himself of anything that occurred; an able general would do the same. He did not believe that the measure would be attended by all the mischiefs the noble Duke (the Duke of Richmond) had enumerated, and which appeared to have frightened him; and if the measure was allowed due and effective operation, he thought those who were now so so vociferous in condemning the right hon. Gentleman at the head of the Government, would again return to his standard for shelter. He had long sailed in the right hon. Baronet's boat; if it was sinking, he would be the last person to desert it. He would stand by him still in perfect confidence, believing that, even if he should be overthrown by the combination of parties, he would recover the fall again.

Lord STANLEY: My Lords, I can assure your Lordships that it is with the most unfeigned distrust of my own powers, but at the same time with the most unhesitating conviction of the truth and strength of the case which I have to support, that I venture to submit myself to your Lordships' indulgence while I enter into a defence of that system of law which has been designated by a noble Earl on the other side of the House as absurd, and which has been most vehemently, but I can hardly say vigorously, assailed by those who have hitherto boldly and most strenuously defended it; and who were indeed among the principal framers of the existing Act. I feel, my Lords, how much need I have of your indulgence; because I find myself, unhappily, on this occasion, opposed, *impar congressus*, to all those who have been hitherto the leaders of both the great parties into which this House and the other House of Parliament have been divided. But, however much and however painfully I may feel the inequality of the contest in point of ability, I cannot admit that the weight of authority is in favour of those who propose the abolition of the Corn Laws. My Lords, I will not appeal—it would be invidious to do so—to the authority of the present against the former opinions of noble Lords on either side of the House. I will not cite the opinions they may have formed, or the expressions they may have made use of; but, my Lords, I will venture to appeal from the authority of the living to the authority of the dead—I will venture to appeal from the authority of the statesmen of the present day to all the great names among those who have been the most liberal commercial Ministers of England in times not long gone past; I will appeal to the authority of Chatham, to the authority of Mr. Pitt, to the authority of Mr. Huskisson; and, my Lords, while I mention their names, I will refer to those of others whose eloquence still rings in our ears—and would to God their wisdom and prudence were still directing our councils!—

trusting I shall be forgiven by three of my noble Friends who now occupy seats in this House, if I cite in opposition to their opinions the authority of those who first cast imperishable lustre on the names of Liverpool, of Canning, and of Grey. But I can appeal not only to statesmen of almost the present day—I can appeal against the statesmen of the present year to the authority of all those who have swayed the destinies of this country ever since it took a prominent place among the nations of the world. The noble Earl (Earl Ripon) says this question was not raised by former Governments on the principle of protection; I say, that if you search the records of our history from the earliest times, you will find in the most distinct form, from the preambles of successive statutes in successive ages, that the principle which guided the Ministers of this country was, the principle of encouraging the domestic industry and protecting the agriculture of this country. As early as the time of Edward IV., I recollect a memorable preamble, one which might almost be applied to a statute of the present day: it recites, if I remember the words, "That whereas the labourers and occupiers in husbandry"—not the great owners of land, observe, not the great proprietors—but "the labourers and occupiers in husbandry, be daily grievously endamaged by the bringing in from foreign countries of corn into this realm when the price of corn within this realm is low;" and the statute, after that recital, goes on to prohibit the importation of corn when the price here was 6*s.* 8*d.* per quarter. The same principle has guided the Legislature of this country from that day to the present, varied according to the circumstances of the country, varied according to the exigencies of the time, varied according to the state of husbandry, and the state of our relations with foreign Powers. But through all, without an exception, there has been maintained this principle—that in order to secure the independency of this country of foreign supplies for the food of its own people, it was the policy of this great country to give encouragement and protection to the cultivation of its own soil. But I will not be satisfied with appealing to home authorities; there is not one nation in the world of any eminence that has ventured, up to this hour, upon the bold and rash experiment upon which your Lordships are invited to enter, of leaving the provision of the food of its people unrestrained by legislation, unprotected by fiscal regulation, and subject to mere chance, or worse than that—to chance controllable and controlled by the caprice, the enmity, or the inability to supply, of foreign countries. I will go through the principal nations of the earth. France and Holland have both not only a system of protection, but both have a sliding-scale, and France has a sliding-scale infinitely more complicated and stringent than our own. Belgium, Denmark, Sweden, Norway, the Germanic Confederation, Prussia, Portugal, Spain, the Roman States, Austria, Greece, Turkey, Egypt, and the United States of America. Have I gone through all the principal nations of the world? Not one of all these countries has ventured to leave its agriculture unprotected, or to allow the provision of the food of its people to be dependent on foreigners. And when I see all this, not only can I not admit that the weight of authority is with the opponents of the measure, but I venture to doubt the truth of that which has been put forward as an indisputable axiom—that the *primâ facie* inference is in favour of unrestricted free trade. On the contrary, I think the weight of authority—the authority of the past and the present, of this and of all other countries, nations with every variety of soil and climate, with every variety of density and sparseness of population, under all varieties of civil institutions, from the most absolute monarchy to the most unrestricted republicanism—the combined authority of all times and countries, is in favour of the system of protection. I dispute that which has been held to be an indisputable axiom; and I contend that the inference, the *primâ facie* inference, is, that all statesmen of former times in this country and all other countries at the present day, have not been wholly destitute of political wisdom and political sagacity. I cannot believe that not a single beam of enlightenment dispelled the universal darkness, till that which flashed simultaneously and with such marvellous power of conversion upon the statesmen of the present age, in the month of November last. I hope I need not assure your Lordships, and I am quite confident I need not assure the noble and gallant Duke near me (the Duke of Wellington), that however deeply I may deplore the course he has pursued as a Minister of the Crown, no words shall fall from me in the course of the observations I shall have to offer, in the slightest degree inconsistent with the deep personal respect

I entertain both for his public and private character, or tending to cast the shadow of a suspicion—which does not exist or find a place in my mind—upon the entire purity of the motives by which he has been actuated. Even if my noble Friend's brilliant career and the pre-eminent position he occupies in this age and country, did not place him—I will not say beyond criticism—but above the apprehension of censure, the uniform single-mindedness of his character, his utter forgetfulness on all occasions of self, and his abhorrence of all that is low, mean, and selfish, would be a guarantee to your Lordships and to the world, that, whatever be the circumstances which have produced it, his decision has been formed upon a sincere, but, I respectfully think, a mistaken sense of what is best for the public interest. Nor, my Lords, will I presume to doubt the sincerity of the conviction of my right hon. Friend at the head of Her Majesty's Government, that this measure was called for by a great exigency. A man of far less sagacity and experience than my right hon. Friend could not have failed to foresee that the inevitable consequence of this measure must be the dislocation and disruption of all those party ties without which, in my humble judgment, the affairs of this great country can never be steadily or safely conducted; he must have foreseen the shock it would give to public confidence in public men, to the confidence of constituents in their representatives, to the confidence of the country in the House of Commons, and, forgive me for saying so, in your Lordships' House also, if you should unhappily imitate the too facile conversion of the other branch of the Legislature. He must have known the embarrassment, the painful conflict and struggle between personal attachment and public principle, to which it would expose his warmest and most devoted adherents; he must have felt the injury he was doing to his own public reputation, and the diminution he was causing of his own means of future usefulness; I believe my right hon. Friend foresaw all these circumstances, and therefore I cannot but think that he conscientiously believed the emergency of the case required this course to be pursued. But I think my right hon. Friend fatally and unhappily mistook the character of that emergency, that he mistook the real judgment of the country. I think he committed the error the most fatal a statesman can commit —I think he mistook the brawling torrent of agitation for the still, deep current of public opinion. And it will not be the least unhappy consequence of this unhappy measure that this country and the world will believe—truly or falsely, justly or unjustly, I will not say—that a triumph has been gained by an organized and interested association over the Minister of the Crown; and that a still more fatal triumph has been gained by the Minister of the Crown, acting under the influence of that association, over his political supporters and the independence of Parliament. With these observations I dismiss all that is personal with regard to this question. I will not be tempted to enter into personal motives even by that general panegyric of inconsistency which has been pronounced by the noble Marquess (the Marquess of Londonderry). But I must, in passing, express my regret that the noble Marquess should have thought it becoming in him to cast a taunt upon those able, zealous, and conscientious men who, abandoned by those in whom they formerly placed their confidence, have been put forward in an unwonted struggle, and in that struggle have exhibited ability, talent, and courage which only reflect the greater credit upon them, because, for a long period of time—as long as they could confide in those who formerly led them—they had modestly kept those talents concealed from public view. I say I will not enter upon personal considerations. I will not expose myself to the sort of attack intimated by the noble Marquess; I will not quote a single page of *Hansard* —I will not go back to one previous opinion or one previous speech; I do not desire to appeal to your Lordships' passions, but to your reason; I do not desire to aggravate the feelings of mortification, perhaps I might use a stronger word, with which you must regard those by whom you have been, to say the least, misled; I wish to omit all personal considerations: if, indeed, I were to enter into the question of consistency, I think I should have to direct my observations with tolerable impartiality to both sides of the House. I cannot concur with the noble Duke (Duke of Cleveland), who thought that those on the other side of the House are entitled to say that on this question they are pursuing a consistent course. I take leave, with great respect, to remind noble Lords opposite that, up to 1841, there was little or no difference of opinion among them as to the necessity of maintaining the then existing Corn Laws. The noble Marquess has, I think, estimated

at six the number of the minority of your Lordships on that subject. And though since that period there has been a difference between the two sides of the House, it has not related to the question whether agriculture is entitled to protection or not, but simply as to its extent and amount, and the most efficient and politic mode of applying and administering that protection. And such I believe was the case down to that memorable month of November, 1845—down to the day when that *verbosa et grandis epistola venit*, which has caused many of your Lordships to exclaim, "Oh, that mine enemy would write a letter!" From that period, and that period alone, we can date the claim of noble Lords opposite; if, indeed, there be a claim—to be considered the opponents of protection. It may be, that some of your Lordships who are about to vote for the second reading, desire to record your opinion against the principle of the sliding-scale, to give effect to your own conscientious, and I believe I may say unaltered opinion in favour of a fixed duty. In that case I have nothing to say against your perfect consistency; but if you are about to join a Government for the purpose of abolishing all protection to agriculture in whatever shape, you must not flatter yourselves that you are altogether free from the imputation of that inconsistency with which you are so ready to taunt Her Majesty's Government. And now, I turn from the personal part of the subject, and from the discussion of the question by whom the measure was proposed and supported, to the much more important matter, the arguments by which it is maintained. But, here I must say, we are met at the outset by a difficulty of rather a singular kind. When, in the other House of Parliament, we have asked the Minister of the Crown a question—not I think an unfair or an unreasonable one—what do you anticipate will be the result of this measure? The simple answer given was, that they must decline to prophesy; their prophecies failed in 1842, and they would not risk their reputation as prophets hereafter. If we ask what the effect of the measure will be, we are frankly told that they cannot say. Now, where is it you are about to try this experiment, of which the Minister who brings it forward cannot tell what will be the possible or probable results? The old proverb says, *Fiat experimentum in corpore vili;* try your experiment on some small scale, in some insignificant corner of the globe, in some inartificial state of society; try it where a mistake would not be irrevocable; where an error in judgment would not lead to such formidable consequences. But you are going to try this experiment in the wealthiest and mightiest Empire of the world; you are trying it in this England of ours, the highest and mightiest among the nations of the world, that which is in the most artificial state of society—that in which the slightest derangement of the social scale, the slightest disturbance of the relations between the different classes of the community—may produce the most extensive, serious, and most irremediable mischief. And it is in this country, and supported by such arguments as you have heard from my noble Friend to-night, that you are invited to try this great experiment, the issue of which the Minister of the Crown tells you he cannot foresee! It may be very well for an irresponsible body, like the Anti-Corn-Law League, engaged in an active and an interested pursuit of their own objects—I do not mean to say not believing that their own personal interests are not inconsistent with the public interest—it may be very natural, if not very legitimate, for their agents, and those whom they employ, to hold different language to different classes of the community; to speak to the manufacturing classes of cheap bread, of bread at half the present price and wages double the present amount; to talk of a grinding aristocracy, of the plunder of the poor, of robbery by the monopolists, of the heartless landlords, and all those clap-trap phrases by which an ignorant multitude have been deceived and deluded, and then to turn round to the agriculturists of this country, and to tell them of the universal prosperity that will result from this measure, and to say, "Do not for a moment apprehend a fall in the price of your produce, the price will rise; far from losing you will only be sharers in the universal gain. Somehow or other bread is to be infinitely cheaper to the consumers—somehow or other you are to get a much better price for the corn you grow." But, my Lords, if this conduct be natural or legitimate in the members of the Anti-Corn-Law League, it is neither natural nor legitimate in the First Minister of the Crown, wielding the authority of the Crown, speaking in the name of the Crown, exercising the influence of his high station, and his high character, and his high talents, to carry measures of deep and vital importance, of hazardous and doubtful policy.

Your Lordships and the other House of Parliament have a right to be told by the Minister under such circumstances what is the object at which he aims; and you have a right to canvass fully and distinctly, first whether the object be in itself desirable, and next whether the means which he proposes for effecting it are likely to attain that object if it be desirable. You have a right to know from the Minister what he calculates upon, as being the probable effect of this great measure. My Lords, in the silence of the Government upon this point, we turn to the arguments which they have made use of; and although certainly one of them has been in a considerable degree abandoned by my noble Friend this evening, yet in the course of the discussions that I have heard, this measure has been rested mainly upon two arguments, namely, the apprehended famine in Ireland, and the successful operation of the Tariff of 1842. But, my Lords, this does not relieve my difficulty. These arguments may both be invalid, as I will endeavour to show by and by that they are; but valid they cannot both be, for they are mutually contradictory, the one of the other. If the repeal of the Corn Laws, in any mode, or by any possibility, be calculated to relieve the famine in Ireland—supposing always the famine to exist, it must be by bringing a large amount of corn into consumption at so low a price as to place it within the reach of the poorest and the most distressed of that starving population; but, if I am not much mistaken in the boast which Her Majesty's Government make of the successful operation of the Tariff, it is this: that while it is materially extending commerce, it has not diminished, on the contrary, it has rather tended to raise the price of the articles which have been subjected to its operation. Let me, however, examine these two questions—the famine, and the operation of the Tariff; and if, in entering upon this topic, I am compelled to trouble your Lordships at much greater length than I desire, and to enter upon some details which may be wearisome, but which are certainly not unimportant to the decision of this great question, I must pray your Lordships' indulgence, on the consideration that in entering upon these dry details, I cheerfully and willingly sacrifice all advantage which I might derive from dwelling upon more exciting because more personal topics. Now, with regard to the famine, I must beg to call your Lordships' attention so far back as to the period of October and November last. The noble Lord has told us that the famine was not the inducing cause of this alteration in the Corn Law being proposed. With all respect for my noble Friend, I will venture to say—and I am confident I shall not be contradicted by any single Member of Her Majesty's Government—that if it had not been for the apprehension of scarcity in Ireland, and the supposed failure of the crops, your Lordships would never have been asked—in the course of this Session at all events—to alter or repeal the corn law. When the Cabinet was called together in the close of October last, it was for the purpose of considering the state of Ireland. Papers were laid before us, representing the failure of the potato crop, the anxiety that was felt, the reports of certain learned professors—which reports, by the by, tended mainly to increase the anxiety, and, with all respect for whom, if their advice had been followed, I believe the evil would have been aggravated. We were called upon to consider what steps should be taken for the relief of Irish distress; and it was for the relief of Irish distress, and it was in consequence of the supposed failure of the potato crop, that we were invited to open the ports by Order in Council, and thereby to suspend the operation of the Corn Law. My Lords, I was of opinion then, and I continue of opinion now, that at the close of October, in the first place, the real state of the case with regard to the famine, or the apprehension of scarcity in Ireland, was wholly unknown to the Government or to any one else. Not above a third of the potatoes had at that time been dug up. Further, I believed then, and I believe now, that there never was a season in the history of Ireland when, so far from there being either famine or scarcity, there was so large a supply in the country of all descriptions of food for the consumption of the people. We were also told that foreign countries were taking steps to prevent the export of their supplies, that crops upon the Continent were short, and that if our supply failed we should have no means of renewing it from abroad. I certainly thought that was an additional reason against taking such a step as opening the ports, because the effect of this step under such circumstances would be to stimulate consumption at a time when, upon the hypothesis, it was desirable rather to discourage it, and that to stimulate con-

sumption would be likely ultimately to aggravate the evil of distress, if indeed distress and scarcity existed. But I entreat your Lordships to bear in mind the wide and manifest distinction that there is between scarcity or famine, and great local and individual distress. My Lords, I speak of the famine as a vision, an utterly baseless vision, which haunted the imagination, and disturbed the judgment, of the Government. I speak in very different terms, and with very different feelings, of that amount of destitution and individual distress, into which a large body of the small cottiers in Ireland have been thrown by the partial or total failure of their potato crop; but I conceive that this is a kind of distress, this is a species of destitution, upon which your repeal of the Corn Law, whatever effect it produces upon the price of wheat, will produce no more effect, and can produce no more, than if you were to pass a law which should reduce the price of pine-apples. The evil to these people is not that corn is dear, or potatoes dear; corn never was dear; the price of corn, in spite of all that took place, never rose to any very high pitch. The state of distress and suffering to which these people are exposed arises from this, that they are not, as the labourer in England is, dependent for their subsistence upon labour and steady wages, the produce of their gardens serving to eke out their wages with some little additional comfort; but that they have invested their labour, invested their all, in the cultivation of some small plot of ground, for which they pay a large rent, and if the produce of that plot fails, they have no labour to look to, their stock of provisions is gone, and, having no means of employment, they have no prospect of obtaining money wherewith to purchase food to replace the potato crop which has failed. That is the cause of the distress of the smaller cottiers of Ireland. But now I pray you to mark another class, and it is not an unimportant one, a class which, including the families of those who compose it, comprises probably 5,000,000 or 6,000,000 of the people of Ireland, namely, the small farmers and occupiers of land in Ireland. In what state are they placed? Their system of cultivation is oats and potatoes; their potato crop had failed, or a great part of it was diseased; it was unfit for human food. It was not unfit for the food of animals, and many of them very wisely increased the number of their pigs, fattened them upon the diseased potatoes, and realized a very fair profit. But what was the compensation to a farmer of this class? Why, the potato crop had failed, but his oats were superabundant, bringing a very fair price; and he had in his superabundant oats the means of sustaining himself, and, in their price, of recovering in some degree the loss of his potatoes. And by way of relieving that man you propose, when he has lost his potatoes, to inflict a further injury upon him by reducing the price of his oats. Therefore, as applicable to the famine or scarcity stated to exist in Ireland, I took the liberty of recording my opinion against the proposed opening of the ports. At the same time, so strongly and so forcibly did I feel the importance of unanimity in the Cabinet—so strongly was I convinced of the injury done by the breaking up of any Government, that although entertaining serious doubts whether a suspension of the Corn Laws and the opening of the ports would be of avail, or might even be injurious — I intimated my entire readiness to yield my own opinion, and consent to a suspension of the Corn Law, provided a suspension was proposed. But, when I was told — not exactly in the language of the noble Marquess just now, who talked about a skilful general, and an able diplomatist, making use of the best plea he could find—but still told that that temporary exigency, that passing emergency of apprehended scarcity in Ireland, was not to lead to a remedy commensurate in duration with the expected evil, but to be made the groundwork of suspending, for the purpose of not re-enacting, the Corn Law, I felt that I could not take that course consistently with my own feeling as an honourable man; and that, with such ulterior views, to propose to Parliament to sanction the opening of the ports would be to lead those who were disposed to support us, into a snare and a delusion. Your Lordships are aware, that the discussions at the close of October terminated by an adjournment of the question; several of my Colleagues being of opinion, with me, that at all events we had not sufficient information to act upon. When the Cabinet met again in November, I was one of those who cordially concurred in those measures for the relief of Irish distress adopted by the Government; the chief of those measures consisting in the appointment of a Commission composed of the heads of those departments of the Government who would have the best opportunity of furnishing

the population in case of distress with employment as the means of subsistence, in communicating with the Lords Lieutenant of counties, establishing local committees in every district, compelling the landlords of Ireland to know the real state of their several neighbourhoods, and the degree of co-operation which would be expected of them, rendering assistance through the medium of the Commissariat; even entering upon the very delicate task of regulating the markets by the transmission of food from one part of the country to the other, to meet the consequences of local speculation; giving employment where local funds were insufficient; and laying in a certain portion of provisions, in order to feed the destitute in the last extremity, when employment should not be found. I considered these measures applicable strictly to the case of Ireland. I considered that the abrogation of the Corn Law, unjustifiable in itself, could not be warranted upon that ground; and, far from doing good, would assuredly injure the people of Ireland. The question, when the Cabinet met again, was certainly different; but I confess it was with some surprise, and no little disappointment, that when the question was put to the Cabinet, not of an immediate issue of an Order in Council, but of an early summoning of Parliament for the purpose of proposing a virtual abrogation of the Corn Law, I found myself alone in my opposition. Will you forgive me, my Lords, for one word on the personal subject? I felt deeply and painfully the prospect of separation from Colleagues I esteemed—I felt most painfully the awful weight of responsibility which I found was about to devolve singly upon myself. I am not ashamed to say that I asked for forty-eight hours to enable me to decide on the course I should pursue. My Lords, it was no sacrifice to me to abandon office; on the contrary, I had most rigidly to examine my own mind whether I were unduly influenced to an obstinate perseverance by my anxiety to escape from the responsibilities and labours of public life. I tried to school myself into the belief that, under certain circumstances, the interests of the country might require even a sacrifice of a personal and public character. My Lords, I could not bring myself to so humiliating a conclusion; and most reluctantly, but without difficulty or doubt, supported as I was by one of my Colleagues, whose name I am not at liberty to name, but which if I could name, I am quite sure his position and his character would satisfy all your Lordships that, in subsequently rejoining the Government, he could be actuated by none but the most honourable motives, I was compelled to tender the resignation of my office. Upon that, the Government of Sir Robert Peel was broken up. Your Lordships are all aware of the circumstances which followed. I did not at that time trouble your Lordships with explanations which might possibly have led to controversy; and I owe an apology to your Lordships for digressing now, even for a moment, from this important question, to a matter personal to myself. My Lords, you are called upon to abandon the Corn Law of 1842. And why? In what respect has it deceived your expectations? How has it falsified your prophecies? Your prophecies have been realized to a wonderful degree of accuracy. In what respect has it failed? The object of this and of every Corn Law, I take to be to place this country in a state of virtual independence of foreign countries for its supply of food. I know that object may be scouted by some of the very enlightened politicians of the present day; but it was not thought unworthy the consideration of great men not long passed away from among us; and if your Lordships will forgive me for referring to it, I will quote a passage from a letter of Mr. Huskisson, which puts the whole question in a few words in the clearest light in which it can be seen. He was writing at the close of the war, and his sentiments are worthy of the deepest attention. We have forgotten the circumstances of that time—some of us, indeed, are too young to remember them—but, generally, we seem not to remember, in dealing with this question, the evils to which, prior to 1815, this country had been subjected from its dependence for a supply of corn on foreign countries. On that occasion Mr. Huskisson said—

"The present war, it is true, is now at an end; but peace is at all times too precarious not to induce us to guard against the repetition of similar calamities whenever hostilities may be renewed. But even in peace the habitual dependence on foreign supply is dangerous. We place the subsistence of our own population not only at the mercy of foreign Powers, but also on their being able to spare as much corn as we may want to buy. Suppose, as it frequently happens, the harvest in the same year to be a short one, not only in this country, but in foreign countries from which we are fed, what follows? The habitually exporting country—France, for instance—stops the export of its corn, and feeds its people without any great pressure. The habitually importing

country—England—which, even in a good season, has hitherto depended on the aid of foreign corn, deprived of that aid in a year of scarcity, is driven to distress bordering upon famine. There is, therefore, no effectual security, either in peace or war, against the frequent return of scarcity approaching to starvation, such as of late years we have so frequently experienced, but in our maintaining ourselves habitually independent of foreign supply. Let the bread we eat be the produce of corn grown among ourselves, and for one, I care not how cheap it is. The cheaper the better. It is cheap now, and I rejoice at it; because it is altogether owing to a sufficiency of corn of our own growth. But, in order to ensure a continuance of that cheapness and that sufficiency, we must ensure to our own growers that protection against foreign import which has produced these blessings, and by which alone they can be permanently maintained. The history of the country for the last 170 years clearly proves, on the one hand, that cheapness produced by foreign import is the sure forerunner of scarcity, and, on the other, that a steady home supply is the only safe foundation of steady and moderate prices."

Now, my Lords, you aim then, by a Corn Law, at independence of foreign supply, accompanied and produced by such an encouragement to your home grower, as shall guarantee him up to a certain point against foreign competition, and shall, beyond that point, protect the consumer against exorbitant and extravagantly high prices, protecting all parties against that which is most injurious to all—rapid and sudden fluctuations. Now, I say, that beyond any law which has ever been in force in this or any other country, this law of 1842 has accomplished these its great and main objects. First, with regard to the provision of a home supply, we have no statistical tables in this country, and it is a great pity we have not, by which we could ascertain, year by year, the amount of the production of the country; but if it can be proved, that in a state of society in which the population is increasing as rapidly as has been stated by the noble Earl, and in which, let me add, the proportion of wheat consumers is increasing more rapidly, still the population of this great country has not alone had a sufficiency to meet the increased demand, but has had that sufficiency at a reduced price, and with a diminished and not an increased supply from abroad; then, my Lords, I maintain that the inference is, that protection has fully effected its object; and that by its means we have been enabled to keep pace with the increasing demand of our increasing population. I will show you, my Lords, that this has been the case. I must take a series of years, because the quantities imported must necessarily vary largely from year to year; and this whatever may be your legislation; for these fluctuations are dependent on the seasons, over which you have no control. You may provide by legislation, that on an average a larger or a smaller portion of your supply shall be drawn from abroad: but whether you have a sliding-scale, or a fixed duty, or no duty at all, the annual amount of import must greatly vary. In a bad year you will import more; in a good year less, whatever be the state of your law. But looking at the Tables which have been laid before your Lordships, I find that, speaking of wheat alone—and I shall confine myself throughout to wheat, and not weary your Lordships with unnecessary details with regard to other grain, the principles being the same in all—in the course of these last twenty years we have imported 21,432,000 quarters of wheat. The yearly average for the last 20 years amounts to 1,021,000 quarters; for the last three years, to 741,000 quarters; and in the course of the last year it was 308,000 quarters. Has this result, I would ask, been produced by any increased price of wheat at home? A great number of fallacies have been made use of, and statements attributed to us, who defend this Corn Law, which we never uttered. We are constantly told that the intention of this Corn Law was to guarantee to the farmer the price of 55*s.* a quarter. The intention of the Corn Law was no such thing. My right hon. Friend, in introducing the measure, stated that if, by legislation, he could fix the average price of corn, he would fix it from 54*s.* to 58*s.* The avowed object of the Corn Law, therefore, was this, that when the price is above 58*s.* the consumer should be protected by a large influx of foreign corn; and that when the price is below 54*s.*, the producer should be protected against any other competition than that which he can engage with upon equal terms — namely, competition with those who are exposed to the same vicissitudes of the same climate, and who have the same advantages, and are subject to the same burdens and restrictions with himself. What has been the result of the Corn Law as far as the consumer is concerned? I find that the average price of wheat for the last 20 years has been 57*s.* 4*d.* a quarter, whilst the average price for the last three years, since the Corn Law passed, has only been 50*s.* 9*d.*, and the price last year, which we have been told was a period of great scarcity, was 50*s.* 10*d.* My right hon. Friend stated his

wish to keep the price between 54*s.* and 58*s.*, and since the passing of the Bill the annual average price has not risen above 50*s.* 9*d.* or 50*s.* 10*d.* But a Return laid before the House of Commons gives a more accurate test of the operation of the sliding-scale, and of the manner in which it acts to check the tendency to a rise of price whenever that tendency is exhibited. The Paper I allude to is a return of the weekly price of corn in every week from March, 1844, to March, 1846; and with respect to those 104 weeks, the result was that the price has been between 54*s.* and 58*s.* in no less than 43 of those weeks; the price has been below 54*s.* in 54 other weeks; the price has been above 58*s.* in seven weeks only, and the price has never risen in any one week above 59*s.* So far, therefore, as concerns the consumer, has he any right to say that the Corn Law has deceived any expectations he was led to form of it? Now, although it is quite true that the prices of corn have fallen considerably below that which was anticipated by my right hon. Friend, if we look to the total amount imported since the great influx of 2,500,000 quarters, immediately after the passing of that measure, we shall find that of 2,000,000 quarters which have come in since that time, there have been entered under 55*s.*, only 305,000 quarters between 55*s.* and 59*s.*, the actual point at which we desired to limit it by the Bill—1,475,000 quarters, and between 59*s.* and 62*s.*, 261,000 quarters. I conceive, therefore, the law has operated in the manner and nearly to the extent it was expected to operate. Another great and important point respects the fluctuations in the price of corn. Since this passed, the fluctuation of price which has taken place between 1844 and 1846 is only from 58*s.* 4*d.* to 45*s.* 2*d.* The whole difference between the highest week and the lowest week in these two years was not a difference of 30 per cent. The greatest weekly fluctuation in the price between any one week and the succeeding is 1*s.* 6*d.*; and the greatest fluctuation in any period for the whole four weeks of the month is a fluctuation of 4*s.* and no more. When this Corn Bill was introduced in 1842, I recollect it being put forward as a matter of boast, that the Corn Laws as they then stood had produced only a fluctuation of forty-nine per cent in any one year, while the existing Corn Law has produced only a fluctuation of 30 per cent in two years. But let us look to the fluctuation of price in other countries, from the month of December, 1844, to December, 1845. Observe, that in two years the total amount of our fluctuation has been 30 per cent, while in that one year, the fluctuation at Dantzic was 56 per cent; at Hamburgh, 86; at Rostock, 78; at Stettin, 84; at Odessa, 50; and at Alexandria, 54. Perhaps you may tell me, that this is the effect of our own sliding-scale and of our Corn Law operating upon prices abroad. Then I will refer you to America. In 1842 my right hon. Friend the Secretary for the Colonies moved for a return of the maximum fluctuation of price in the markets of America, from 1834 to 1840, and according to that return the greatest fluctuation in any one year was in New York 70 per cent; in Philadelphia, 76; in Portsmouth, 72; and in New Norfolk, 62. The account of these fluctuations has been carried down to the present time, and between the years 1841 and 1846 (whilst our fluctuation never exceeded 30 per cent between 1844 and 1845; and whilst on the market of Montreal, which ought, if the argument of my opponents is just, to have been the most affected by our Corn Laws, the fluctuation did not exceed 17 per cent on the price of last year), I find in New York in one year a fluctuation of 51 per cent; in Philadelphia, 50; in Richmond 76; and in Baltimore, 90. As far, then, as the experience of three years has gone, no law in this or any other country has produced so great a steadiness of price with cheapness as the law of 1842, which your Lordships are now called on to abandon. But if your Lordships wish to refer to a period of the greatest fluctuation in this country, refer to the period between 1792 and 1805; a period when there was the greatest dependence on the foreigner. Hear on this subject the evidence of Mr. Malthus, in a pamphlet written by him in the year 1814. He says, "During the last century, the period of our greatest importation and dependence on foreign corn was between 1792 and 1805, and certainly in no four years of the whole century was the fluctuation so great. In 1792 the price was 42*s.*; in 1796, it was 77*s.*; in 1801, it was 118*s.*; and in 1803, 56*s.*" So that between 1792 and 1801 the price was almost tripled; and in the short period between 1798 and 1803 it rose from 50*s.* to 118*s.*, and fell again to 56*s.*, and that in that period of the history of this country in which we were most dependent on foreign supply. If it were necessary to prolong the discussion on this point,

I would ask your Lordships to look at the fluctuations of price in other articles. You are told the fluctuations in corn are attributable to the sliding-scale: look at the fluctuations in the price of potatoes. There is no sliding-scale as respects them; but there is free trade. They may be imported from anywhere, and they pay no duty, yet I know that the price of potatoes varies from 100 to 150 per cent in the course of a single year. Then, again, look at the price of upland cotton. No sliding-scale affects it; and the demand is regular and steady. Yet if you look at the price of upland cotton at Liverpool, in 1836, 1837, and 1838, you will find that it was in January, 1836, 8½*d.* per lb.; in March, 11½*d.*; in January, 1837, 10¼*d.*; in May, 5⅞*d.*; in December, 8½*d.*; and in April, 1838, 5*d.* I ask, is there any fluctuation in corn to be compared with this? Now, I trust, I shall be excused for adverting to another point of importance; namely, the supply which our Corn Laws procure for us to meet the exigencies of the country. I will recall to your Lordships' recollection what was the state of the different countries of Europe at the commencement of the present year. There existed a great apprehension of scarcity among all, and measures were taken for their own protection and security; and that I may not be supposed to misrepresent in the slightest degree the facts of the case, I will read from a statement made by my right hon. Friend the First Lord of the Treasury. After stating the apprehensions of scarcity felt by various foreign Powers, my right hon. Friend goes on:—

"From Belgium, dated the 24th September, we heard that the Chambers had sanctioned the proposal of the Government to prohibit export, and permit import. Egypt, on the 22nd of October, prohibited the exportation of all corn arriving at Alexandria after that day. Turkey prohibited the export of all grain from the ports of Anatolia and her Asiatic provinces from the 27th of August, 1845, to harvest-time in 1846. Sweden prohibited the export of potatoes from the 15th October till the next harvest. There was, indeed, at this period, a general apprehension of a scarcity of provisions, extending from Sweden to Egypt; and from Riga to Turkey, and measures were taken to stop their exportation, and for excluding us from some of our usual sources of supply."

This shows that the moment a pressure takes place, measures are taken by these parties to stop the exportation of food, and deprive us of the opportunity of obtaining it from them. We were also told to stop the export of provisions, to take off the duty on import, to prohibit the use of grain in distilleries. We took none of those steps. We trusted to the operation—the steady, quiet, certain operation—of our existing Corn Law. I believe that the best test of scarcity is to be found not in the report of learned professors; but that there is a much better barometer as to that point, and that is the price of food in the market. The self-acting operation of the Corn Law did not come into effect, and because it did not, its authors said that it was a sliding-scale that would not slide. Of course it would not, and for this good reason—because there was not a deficiency in the country to increase the price. By relying on the operation of our Corn Laws, what was the result? What was the amount of corn in bond at the close of the year 1845, to meet the exigencies of our demand? I am not talking of the amount in bond now, of the amount most unfortunately accumulated there in consequence of the introduction of this measure, and which may now come in with a ruinous effect on the market. I am speaking of the amount which your Corn Laws provided in bond at a time of universal scarcity. The average quantity in bond in December for the last twenty years, has been 445,000 quarters; and the highest amount in bond in December in any previous year was 899,000 quarters. But in December last, in face of the difficulties in Europe, in face of the established prohibition of export, you had in bond, in waiting for an exigency that did not come, 1,106,000 quarters. Will any man, then, tell me that the Corn Law has failed in the essential points of keeping us, in the main, independent of foreign supply, in securing cheapness and steadiness of price, and in providing for us an abundant foreign supply in case we should require to make up any deficiency in this country? Will any man seriously contend that this great advantage resulting from the Corn Law has been purchased by the sacrifice of commercial interests? Is there any man who does not know the enormous and unparalleled strides which this country has made in commercial and manufacturing industry, I do not say on account of, but I will say notwithstanding, the operation of the Corn Laws? Since the year 1827, the exports of this country have increased from 36,000,000*l.* in value, to 58,500,000*l.* In the course of those years the import of cotton alone has increased from 177,000,000 lbs. to 721,000,000 lbs. In the course of the period since 1814, while the value of landed property, as shown by the property tax

paid in respect of schedule A, has increased from 39,300,000*l.* to 45,750,000*l.*, being an increase of 16 per cent, the increase on schedule D, showing the profits of trade, manufactures, and professions, has increased from 35,800,000*l.*, in 1814, to 64,344,000*l.* in 1842, being an increase of no less than 84 per cent, against 16 per cent increase on land. Now I ask you, have these Corn Laws proved inconsistent with manufacturing prosperity? And why are we now invited to enter upon this great experiment? It is, I suppose, still further to expand the commercial and manufacturing interests of the country. I belong to a manufacturing county, and no man is less inclined than myself to depreciate the great advantages derived from the manufactures of this country. A great increase has taken place in our wealth, and, in many cases, in the comforts and prosperity of the labouring classes, by this system of manufacturing prosperity. But this system of manufacturing activity is not without its attendant drawbacks and dangers. It is a system that requires to be carefully and steadily watched, instead of being unduly pampered and fostered. Manufacturing industry is subject to constant, great, and rapid fluctuations — its powers of production are always overtaking the powers of consumption—a period of prosperity is invariably followed by a glut in every market of the world, and corresponding period of adversity. Do nothing, for God's sake, to check the prosperity of your manufactures; but do not let us, by unwise legislation, promote and pamper an unwholsome increase, which, when the bubble bursts, involves all in serious evils. But even if it were certain that an increase and extension of our manufactures were desirable, and would justify all the powers of legislation being brought to bear upon it, it is not clear to my mind that the repeal of the Corn Laws would have the effect of increasing our manufacturing industry. If there be no great reduction of the price of corn in consequence of this measure, it needs no demonstration to show that there will be no larger increased consumption of corn; the consequence is, that there will be a transfer of business, to the same, and no greater extent, from customers in this country to customers abroad, and that would be all. Are we to believe the argument of the successful operation of the Tariff? We are told that the price of wool has risen, and also of timber, silk, butchers' meat, and I know not what besides. I must say, however, that of all the bold paradoxes ever palmed on the credulity of mankind, and passed, upon the authority of great names, for sovereign and supreme wisdom, the boldest and the most laughable is this, that increased competition tends to raise the price of those articles which are the subjects of it. Reason is against it; and more, facts are against it. True, the reduction of a halfpenny per pound on wool last year, taking place at a thriving period of your manufactures did not check consumption; the demand for the article went on increasing more than the supply, and the fall was not felt. But what happened in 1825, when Mr. Huskisson reduced the price 6*d.* per pound? My noble Friend on the cross benches recollects that Mr. Huskisson reduced the duty from 6*d.* to 1*d.*, and that, while from 1819 to 1824 the average price of Southdown wool was 1*s.* 4*d.*, it was from 1825 to 1830 only 10*d.*, being a reduction to the full amount of the duty. If you talk of silk—I will not enter into the details of the silk trade; but admitting for the sake of argument, what I think not quite clear, that the silk manufacture is in a better state than it would have been under a system of greater protection, this fact is notorious, that simultaneously with the removal of the prohibition from the manufactured article, you largely reduced the duty charged upon the raw material; and your Lordships must allow me to remind you, moreover, that after the prohibition was removed, the silk manufacture of this country was, and has been to the present moment, protected by a duty averaging no less than 30 per cent on the price of the article. I need not ask you about timber. It is quite true the price of Baltic timber has not fallen to the full extent of the reduction of the duty, though I believe the price of Canadian timber has; but what has been the effect on the price of the article in this country? I hold in my hand a return showing the money price for fifty cubic feet of timber for three years previous to the Tariff, showing a mean price of 103*s.* 9*d.*; while since the Tariff the mean price is 91*s.* 3*d.*, and last year only 86*s.* 8*d.* I ask my noble Friend at the head of the Woods and Forests, if he has any doubt of this, whether the Government did not some short time ago offer for sale some timber and bark in the Forest of Dean, and whether he was not obliged to withdraw it without sale in con-

sequence of the depreciation in the price? [Viscount CANNING: It was sold.] Was it? Then what was it sold for? I will not enter upon the question as to the rise in price of butchers' meat, or the various causes which have led to that increase. I find the total amount of sheep imported has been 7,113, and I find that in one single market, in Smithfield, the falling off was from 27,370, in the week ending the 14th of April, 1845, to 16,240 on the 13th of April, 1846. Here, my Lords, is the explanation, and a very sufficient explanation, of the rise in butchers' meat, not on account of, but notwithstanding the limited operation of the Tariff. I contend that under this proposed abrogation of the law there will be a large reduction in the price of corn. But, before I leave the question of the Tariff, I may be permitted to refer for a moment to the effect the Tariff has had upon British shipping. Great stress has been laid upon this point. Prices were to fall, but the Tariff was to have the effect of increasing our commercial activity in the employment of British shipping. A great deal has been said of the increase in the amount of our shipping from 1842 to 1845. But, my Lords, how does this case stand with reference to the Tariff, to which I was a consenting party, because I thought it would have a tendency to settle prices, and that it would tend, moreover to expose the home grower to such an amount of competition, and no more, than he could very safely meet? The principle of the Tariff was protection, and not prohibition. The principle of the Tariff was competition, and my notion of competition is this, that you must have the competing parties placed upon an equality to start from; and that unless you have this equality of circumstances in the competing parties, your principle of free trade may turn out to be the most rank and entire monopoly. Now what has been the increase of British shipping employed under the new Tariff? The tonnage of vessels belonging to different ports of the British Empire in 1842, was 3,619,000 tons, in 1844 it was 3,636,000 tons: showing in two years an increase of 17,000 tons. Now, since 1833, there has been a progressive annual increase in the amount of your shipping tonnage each year, with one exception, surpassing the year preceding. The total amount of that increase has been 985,000 tons, and the average biennial increase 197,000 tons. But the increase in the two years since the adoption of the Tariff has been 17,000 tons. Is that all? Now I will show you a branch of the shipping trade of this country in which there has been a large increase, and which compensates for the large deficiency which would otherwise have been presented by those two years—a branch certainly for which the Tariff can take no credit, and which depends and has depended on the prosperity of agriculture, and on the improvements going on in agriculture, encouraged by a system of protection. I refer to the number of ships engaged in the guano trade in the years 1843 and 1845. You may smile, and think this an inconsiderable branch of trade; but what has been the increase in the tonnage and number of ships employed in it? This trade began in 1841, and in 1843 the amount of tonnage was 4,056 tons, employing 202 seamen; and in 1845, 219,000 tons, employing 11,434 seamen. There was, therefore, an increase of 200,000 tons of shipping in the guano trade alone since the Tariff was adopted. Now, I admit the fall in the price of corn will not be equal to the reduction in the duty, and I do not think it is difficult to estimate what the amount will be on a large proportion of foreign corn. I do not refer now to the prices in Dantzic or other places, but to what our experience of the Tariff informs us. At the price of 55*s.* we have had a large importation of foreign corn; and at that price the duty is 15*s.*, giving the real price 40*s.*, which is the maximum price that you could expect to realize. We may, therefore, fairly anticipate that when the duty is taken off we shall have a large importation of foreign corn at 40*s.* inundating our markets, and making 40*s.* a quarter pretty nearly the maximum price you can ever expect to realize. I feel, my Lords, that I am troubling you at too great length. I am ashamed to do so; but this is a great question. I feel that I am arguing the question very feebly; but I trust your Lordships will bear with me a little longer. I received this morning a letter from a gentleman who is at the head of the oldest firm in the corn trade in Liverpool. The letter is as follows:—

"Liverpool, May 23, 1846.

"My Lord—As principal of the oldest firm in the corn trade at this port, I am induced, by the distinguished part your Lordship has consented to take, at this perilous juncture, in defence of the best interests of your country, to trouble you with a few lines on the past and present state and prospects of the trade here, with relation to the mo-

mentous question which is so soon to receive the sanction or disapproval of your Lordships' House; and although I cannot doubt but you are already possessed of all the necessary information to enable you to refute the sophisms and fallacies so unblushingly put forth by Sir Robert Peel and Sir James Graham in their 'famine' speeches in the House of Commons, I nevertheless venture to trespass upon your time for a few moments.

"There is now not the smallest doubt in the minds of thinking men here, but that the little unfavourable weather we had in September last, coupled with the partial decay of the potatoes, was seized on with avidity by the Anti-Corn-Law League, and their willing instrument, Sir Robert Peel, to sound an alarm of a deficiency of food; and thus, by working upon the minds of a few other of Her Majesty's Ministers, to bring about the consummation of their long-cherished project—a repeal of the existing Corn Law. Inconsiderable as was the advance in prices, produced by the unfounded alarm created, your Lordship may rely upon it, that the rise would have been a good deal less considerable but for the fallacious cry set up by the League of a serious deficiency in the wheat crop; for I will venture to assert (and the fact must have been known to Sir R. Peel), that seldom was there in England so large a surplus of wheat from any previous crop as there was from the crop of 1844 in October last. I could adduce no better proof of the abundance of the crops in 1842, 1843, 1844, and of their sufficiency for the ordinary wants of our population, than the fact that we have had scarcely any liberation of foreign wheat or flour since September, 1844 (the duty paid in the whole of that year being at the rate of 16*s.* and 17*s.* per quarter), a period of nearly twenty-one months; and though Sir R. Peel's new measures have been delayed beyond all calculation, the supply of home-grown wheat (English and Irish) has proved amply sufficient for the wants of the community; and you may rest assured there is still a large quantity of wheat held by our farmers, especially in twelve or fifteen of our midland and southern counties, where the last year's crop was most abundant, and that even Ireland, also, is very far from being yet exhausted.

"Besides some stocks of English and Irish wheat, we have at this port of foreign in bond 270,000 quarters wheat, and upwards of 600,000 barrels (196 lbs.) of American flour—a stock unprecedented in the annals of Liverpool. Moreover, the former will now increase materially, weekly; and the latter (judging from the advices just received, by the Great Western, from New York) is likely to be augmented during the summer to 1,000,000 barrels, even if our present bonded prices alone be maintained.

"Now, in anticipation of Sir R. Peel's new proposition, the best flour in bond brought here 33*s.* per barrel in November last, whereas at the present moment, the six months that were to have exhausted our home supply having elapsed, the same flour is worth only 24*s.* per barrel, though the holders of it rely confidently upon its speedy liberation at a duty of 2*s.* 5*d.*

"My house has this week received advice of the purchase of a considerable quantity of prime flour in New York, to cost, with freight to Liverpool, 22*s.* 9*d.* per barrel; and there are other purchases which stand in only 22*s.* 3*d.* per barrel, freight included. I have lately received consignments of this article by the finest American ships at a freight of 1*s.* 7½*d.* per barrel, and some has been shipped at 1*s.* 6*d.* freight. I further beg to inform your Lordship that I hold in bond two cargoes of fair red wheat, which were imported early last year from Ibraila, on the Danube, at a cost of 14*s.* per quarter free on board ship, the freight to Liverpool being 9*s.* 6*d.* per quarter; and I do not hesitate to give it as my deliberate opinion, that if the measure now before your Lordships' House be suffered to become law, we shall, after the expiration of three years, be annually in the receipt of 5,000,000 quarters of foreign wheat and flour, probably more, provided the seasons be ordinarily favourable, and our average prices admit of the sale of it at not less than 36*s.* to 40*s.* per quarter gross in England, the duty being 1*s.* per quarter as proposed."

Between September, 1844, and May, 1845, during the whole of which time the price was permanently from 45*s.* to 46*s.*, and the duty 20*s.*; there were entered for home consumption 120,000 quarters of wheat, which, consequently, realized to the importers from 25*s.* to 26*s.* a quarter. But I am not absurd enough to suppose that if the duty had been taken off, because these parties could afford to import and sell corn at from 25*s.* to 26*s.*, therefore they would have done so. These parties would have derived very large profits from their importation; and what would have been the result? There are many districts of country on the Continent, larger, perhaps, than many of your Lordships imagine, which might be devoted to the growth of corn. Look, for example, at the plains of Hungary. There you have very considerable districts admirably qualified for the growth of wheat, to the cultivation of which the opening of your markets will give great encouragement. But even supposing that no great addition be made to the area of the corn-exporting countries, there can be no doubt that the application of skill and capital to the improved cultivation of the land, would give to the cultivator a far greater amount of produce from the present area than it now yields. Your calumniated and ill-treated farmers can produce about twenty-eight bushels to the acre; in hardly any other country is the produce more than fourteen bushels to the acre. A large profit is derived by the importers from these countries. This tends to the application of capital to the improvement of the soil. The continued application of capital and skill enables the cultivator to produce his corn much more cheaply, and the same effect will be produced by the application of capital to improve and facilitate the means of shipment. My objections to this mea-

sure, therefore, are not lessened but rather aggravated by the fact, that you will not feel the injury it entails all at once, but that, gradually and progressively, the importation of a larger and larger amount of foreign supply will be encouraged by your legislation, and will by degrees drive out of cultivation a larger and larger amount of corn land in this country. But it is said, that when the price of corn falls, the manufacturers will obtain a great outlet for their goods, and will be able to sell them at a much cheaper rate. But how are they to sell them more cheaply than at present? How is this cheapness to be effected? If it is to be effected at all, it will be effected by a reduction of wages. I thought it was a favourite doctrine of the Anti-Corn-Law League, I know it is a view which has been taken by some Members of Her Majesty's Government, that the price of corn has nothing to do with the amount of wages. As I have said, it is anticipated by the repeal of the present Corn Law, the manufacturers will be able to produce their goods more cheaply. I do not exactly understand how they can do this without paying their labourers lower wages. Now, I do not mean to say that either in the manufacturing or the agricultural districts the rate of wages exactly or regularly follows the price of corn; certainly it does not follow all the fluctuations in the price of corn. I say that wages, like everything else, are regulated by the proportion between the demand and supply. In proportion to the demand for labour, the working classes were ready to enter into competition for that labour, which would afford them the necessaries and comforts of life. But the amount of the necessaries and comforts of life must be ultimately measured by money; and consequently, the competition remaining the same, if a lower amount of money would procure the same amount of the necessaries and comforts of life, the price of labour must fall in proportion as the price of corn falls. I do not say, however, that it will follow all the fluctuations of the price of corn. This is a most important point. It is of vast importance to the labouring population that the price of corn should be steady, be it high or be it low. The labourer, where prices are low, has not the prudence or foresight to economise his earnings; and when the pendulum swings the other way he is too often plunged into a state of distress. It is then in the absence of fluctuation from one extreme to another, and not on the average money rate of wages, that the comforts of the labourer mainly depends. If, however, the labourer's money wages are to be reduced, he ought, I think, to have fairly stated the balance of advantage and disadvantage to which he is about to be exposed under this system. Suppose a man with a wife and three children consume (I take the highest average) five quarters of wheat a year, and that there is a permanent fall of 10*s.* in the price of corn. A diminution of 1*s.* per week in the wages of any one member of the family — and you can hardly suppose that any diminution would be less than that—more than counterbalances any advantage derived to the family from the reduction of 50*s.* in price of the five quarters of corn they consume. But then I am told that even if there is no fall in price, still we must export largely, from the necessity of furnishing us with a return. But, then, we are told that, even if manufactures do not become cheaper, trade will increase largely, from the necessity, on the part of foreign countries, of taking our goods in exchange for their produce. This argument assumes that Russia, Prussia, and the United States, do not take our manufactures because we refuse to receive their corn in exchange. There never was argument less founded on fact than that. The fact is, with regard to all those countries, that at the present moment our imports from them largely preponderate over our exports to them; and the duties we impose upon their goods—ay, even upon corn and timber—are far lower than the average amount of duties which all those countries charge upon the principal articles of our manufacture which we export to them. Take the case of our trade with the United States. You may perhaps be surprised to learn that the value of the cotton alone which we take from the United States, in the course of a single year, far exceeds the value of all the goods put together which we export to the United States in the same period. For a period of five years, the average value of our exports to the United States has been 5,700,000*l.* a year. For a period of eighteen years it has averaged about 7,000,000*l.* a year. Now, assuming that we take four-fifths of our whole supply of cotton from the United States, and that that cotton is worth 4*d.* per lb. (a low average), our imports of cotton alone from the United States have amounted in those five years to 39,087,000*l.*, or an average of

7,817,000*l.*, per annum. Since 1827 our imports of cotton have increased from 177,000,000lbs. to 721,000,000lbs., while our exports during the same period have remained stationary. I may refer on this point to an authority which would not be disputed — that of the Secretary of the Treasury of the United States; and I beg those noble Lords, who advocate a system of reciprocity, and who anticipate those great advantages which we are to derive from taking a larger quantity of the produce of the United States, of Russia, and of Prussia, to bear with me while I quote from this report from the Secretary of the Treasury of the United States on this subject. From that report the following appears:—

TRADE WITH UNITED STATES.

Years.	Imports into U. S.	Exports.	Balance.
1840	39,130,921	70,420,846	31,289,925
1841	51,099,638	62,376,402	11,276,764
1842	38,613,043	52,306,650	13,693,607
1843	28,978,582	46,901,835	17,923,253
1844	45,459,122	61,721,876	16,262,754
1845	49,903,725	61,044,535	11,140,810
	253,185,031	354,772,144	6)101,587,113
			16,931,185

"This," the Secretary observes, "is the nominal balance, but there should be about 25 per cent, at least, added to this, to make up the real balance. The exports given in the above table are made up according to the home valuation, and the returns from the shipments would, of course, be increased by any profits that may be realized in foreign countries. There has been a balance in our favour in each of the past six years, and, with one exception (1839), in each of the past nine years. It appears by these statements, that our foreign trade is yearly becoming more profitable to the United States. Our export trade is annually increasing, while our imports remain about the same. . . . . Any modification made in the Corn Laws of Great Britain, permitting the introduction, on reasonable terms, of our bread stuffs, will give an additional impetus to our export trade, and prove of immense advantage to the producers of this country, by giving an outlet for our surplus produce. On the other hand, every improvement or increase made in our manufacturing establishment serves to supply the home demand for cotton and woollen manufactures, and tends to reduce the importation of these articles."

The writer of this report then goes on to expatiate on the unfriendly relations and correspondence subsisting between the two Powers. He refers to the indissoluble links in which we are bound by commercial advantages, and he seems ready to congratulate us that the little cloud in the West seemed to have passed away. "On the other hand," the Secretary goes on to say, "every improvement or increase made in our manufacturing establishment serves to supply the home demand for cotton and woollen manufactures, and tends to reduce the importation of these articles." This, then, is to be the result of a liberal measure for allowing the importation of bread stuffs from the United States. If you flatter yourselves that by such a measure you will gain any advantage for your manufacturers, undeceive yourselves; the Secretary to the Treasury of the United States tells you that they will soon be able to dispense with your assistance, and that they will not require your manufactures. Then, with regard to Russia, I find that Mr. M'Gregor gives the following statement for the year 1838:—

Total exports.....	£11,996,471
Of which to Great Britain	6,977,326
Average imports from Great Britain	1,663,342
Balance	£5,314,054

Thus leaving an average balance of 5,000,000*l.* in favour of Russia; while to Prussia, the declared value of our exports was in the same period 505,000*l.*, and the estimated value of the imports from that country was 3,138,000*l.* You talk about a duty of 25, 30, or 50 per cent upon timber as an extravagant and prohibitory duty. By the United States' tariff, the duty upon our woollens and silks is 40 per cent; upon our cotton, ale, and porter, 50 per cent; upon coals, 60 per cent.; and upon paper, 75 per cent; and their duties upon various other articles of our manufacture, which are principally articles of export, range from 45 to 150 cent, and upon glass amount to 243 per cent. But the tariffs of Russia and Prussia are equally restrictive.

"Russia," says Mr. M'Gregor, "may be said to prohibit the importation of every material which can be drawn by the labour of her serfs, from her mines and forests; and of every foreign manufactured article, in order that the labour of these serfs, with the aid of machinery, either imported or made in the country, and directed by skilful foreign artizans, shall be made to produce articles either similar to, or that may be substituted for, those of foreign manufacture."

Those articles of your manufacture, the importation of which is not prohibited by Russia, are subjected to an average duty of 65 per cent, ranging upon some articles, for instance glass, to 900 per cent. Prussia imposes a duty varying from 50 to 130 per cent. And yet the argument is boldly put forward, that our protective system,

which imposes a duty of about 25 per cent upon the importation of corn, prevents us from receiving the wheat of those countries which levy a duty of 60, 70, or 100 per cent upon our manufactures. Various expectations of advantage have been held out to Great Britain on this subject; and in 1839, Dr. Bowring, who had been appointed to make inquiries on those topics, stated as follows to your Lordships' House:

"August 7, 1839.—I have put prominently forward the subject of cotton and woollen manufactures; I have been asked what we were disposed to do, and have mentioned that the question of the timber duties might be opened, and any minor subject interesting to the Prussian Government. On these grounds they are willing to treat. Prussia will propose and support a general reduction of the duty on cotton fabrics; she will also recommend a new classification of woollens, so that the duty shall press less heavily on the lower qualities. The extent of the reduction will depend on the powers which England has of meeting her, and on this point I hope your Lordships will favour me with early instructions."

And again the same year—

"It is clear, however, that the amount of changes to be obtained here is wholly dependent upon the views and the powers of the Government at home, and not our own legislation. I have put forward the points which interest us most, viz.:—reductions on the duties on cottons, woollens, hardware, and pottery. The general reply is, that Prussia will recommend diminished duties on these articles, and will try to give effect to her recommendations, if we can obtain liberal modifications of the corn and timber duties in Great Britain. I have explained all the difficulties of these questions, but still am very anxious to obtain from the Prussian Government specific declarations that if such and such changes take place in England, they will be met by such and such changes here. The head of the customs says they will entertain a proposal for a general reduction of the duties on cottons, and for a classification of the duties on woollens, so as to relieve the lower qualities of the prohibition which the system of taking the duties by weight brings with it, and for lowering of the duties on hardware and pottery; the groundwork of the understanding to be, that so much shall be deducted if the duties on timber are lowered so much, and so much more if a fixed duty be laid on wheat, instead of the present fluctuating scale. I have not found any of the authorities here expecting the introduction of their corn into England duty free."

Well, my Lords, we have reduced the duty on timber "so much," and we are about to do, with respect to corn, more than any of the Prussian authorities ventured to expect: and now let me ask my noble Friend the Secretary of State for Foreign Affairs, how much has Prussia done, and how much does he expect she will do, in reference to our cottons, woollens, hardware, and pottery? What has been the effect of the reductions we have already made in the duty on timber, with regard to our exports of cotton to the Northern States of Europe? Since 1841, our imports of timber have increased from 351,000 loads to 642,000 loads. Now in 1843, we exported to Russia, Prussia, Denmark, and Sweden, 2,200,000 yards of plain cotton; now, we export only 2,000,000. We then exported 1,200,000 yards of printed cottons; now, we export only 970,000 yards. Your imports of timber have nearly doubled; but your exports to these people, in spite of Dr. Bowring's predictions, have fallen off instead of increasing. I suppose, at all events, that your shipping trade has improved. I have been told that British merchants will not engage in the corn trade because it is speculative. Speculative! why speculation is the basis of all trade. Take off what duties you please, the corn trade must be eminently speculative, because it is dependent upon the seasons and the probable demand in this country. But it is said our merchants are too wise to engage in these speculations. It is said they are unsuited to the character of the British nation. It is said that hazardous speculations, leading possibly to great risk, and possibly to great gain, are so adverse to the character of the people of this country, that it is not likely any great number of persons would engage in them. And this is said in the year 1846! Well, but the timber trade is not a speculative trade. We have opened that trade. Our shipping, of course, have entered largely into that trade. Listen to a fact which is of great importance. In 1839, the Baltic trade employed 612 British ships, against 566 foreign ships. In 1845, it employed 609 British ships, against 1,485 foreigners. In 1839, there were 145,000 tons British employed, against a nearly equal amount of foreign tonnage; in 1845, there were only 133,000 tons British, against 378,000 tons foreign. In 1839, there were 6,016 British seamen employed, against 6,300 foreign seamen; in 1845, there were 5,375 British seamen employed, against 17,169 foreigners. But even if I were to admit that you might produce a large increase in your manufactures for a time, under a system of free trade: that you might puff up your manufactures with a brief, but extraordinary prosperity; when that fails, as it will fail, and when the day of distress and difficulty comes— when war intervenes, I think that my right hon. Friend the Secretary of State for Foreign Affairs would feel much more easy in the event of a war with the

United States—which God forbid!—if, instead of drawing four-fifths of our cotton from the United States, we drew four-fifths of it from our own territories. But when war comes, these markets will be closed against you. You will have destroyed your home market, and when your foreign market fails you, then comes the period of depression—then comes the bitter suffering amongst the manufacturers—then comes the bitter reaction of feeling against those who are now deluding their unhappy dupes with the prospect of increased wages and of "cheap bread." Now, my Lords, I have spoken of the home market. Do not let your Lordships, and do not let the country, undervalue the importance of this home market. If you were to believe certain cotton manufacturers—if you were to believe what has been put forward in another place—you would believe that seven-eighths of the whole quantity of cotton goods are exported, and that the consumption of cotton goods among the population of this country amounts to little more than 2*s.* per head. Your Lordships will judge of the accuracy of that statement when I tell you that in 1840 the consumption of the West Indies was, not 2*s.* per head, but 1*l.* 6*s.* per head of the population. I cannot believe that when the West Indies consume 1*l.* 6*s.* per head of your cotton goods, the population of this country consume only 2*s.* per head. Now, I don't hesitate to state my conviction that the home market of this country is to the foreign as forty to seventeen. In the year 1820, there were exported 248,000 yards of cotton made up into goods. In 1844, that quantity was increased to 1,046,000 yards, or nearly fourfold; but in consequence of the immense fall in price, that fourfold increase in quantity produced an increase of only one-fourth in the value. The value was 17,612,000*l.* against 13,000,000*l.* in the former year. In 1823, Mr. Huskisson estimated the value of the cotton goods consumed in England at 32,000,000*l.*; and I find that the home consumption, deducting all that had been exported, was 73,000,000 of lbs. weight in the year 1820, and that it had increased to 280,000,000 of lbs. weight worked up for goods, employing British labour, and paid by British consumers, in 1843. Allowing that there has been a proportionate reduction in the price of articles of home consumption; that the increase, therefore, of fourfold amount has been only one-fourth in value, your whole consumption in 1843 was worth—and it is much more now—40,000,000*l.* sterling, against an export of cotton goods to the value of 17,612,000*l.* 40,000,000*l.* is a low estimate for the amount of cotton goods worked up and consumed in this country; and if I take the great articles of produce of this country—cotton, woollen, linen, silk, coals and culm, iron, hardware, brass, copper, leather, saddlery, cabinet wares, and papers—of which the exports amount in value to 48,344,000*l.*, at a low estimate, the total amount produced is 250,000,000*l.*; thus leaving nearly 200,000,000*l.* out of the 250,000,000*l.* for the consumption of the home market. Now, my Lords, that is the market you are now called upon to endanger; these are the customers you are called to sacrifice in your blind zeal to promote the export trade by your "cheap bread," and the importation of foreign corn. But then I am told by the manufacturers—"Surely, there will be a reduction in the price of corn, and an increase in the consumption." That is not quite so clear. There may be a diminution in the price of corn, but cheapness and dearness, my Lords, are relative terms; they are not positive terms. An article may be cheap in point of money cost, but very dear in point of ability on the part of the consumer to purchase. Wheat is cheaper in Ireland than in England—cheaper in Poland than in Ireland; but wheat is not more within the reach of the population of Poland than of the population of Ireland; and paying an infinitely higher price for all articles of consumption, the ability of the consumer in this country to purchase, makes the articles virtually cheaper—that is to say, more within his reach; and he is, therefore, able to consume more of them. Therefore, it does not follow because you reduce the price of corn, and thereby diminish the cost of your manufactures, that you increase the consumption of manufactures; and that therefore your home consumers will be able to take the same amount as at present. I have gone over a great part of this question, and I know I have trespassed upon your attention. I come now to the question, upon whom will this loss fall? I saw lately in one of the French newspapers, an article upon the probable effect of the destruction of the Corn Law, and there was this philosophical argument made use of:—"*Quand même ces millionaires d'Anglais perdraient le quart de leurs revenues, ils ne joui raient pas moins des douceurs de la vie.*" Now, I, for my

part, am not satisfied to have one-fourth of our incomes taken away, though we may have some of "the sweets of life" remaining. Something has been said, in language unfairly and unjustly misapprehended—something has been said about the difficulty of administering the affairs of the Government, and reconciling the conflicting claims of "an ancient monarchy, a proud aristocracy, and a reformed House of Commons." Now, my Lords, I entirely put by the erroneous interpretation made upon that expression. I admit the sentiment—I admit the difficulty---and I admit further than that; I admit, further, that you are bound not to legislate for a class. You are not to legislate for the interest of one class against the interest of another; but this I say, that if you materially alter the social relations of the different classes of the community in this country—if you lower one at the expense of another, it is not a private injury, but a public injury, that you inflict upon society; and whatever may be the difficulty of keeping the balance between the "ancient monarchy," between the "proud aristocracy," and the "reformed House of Commons," rely upon it, my Lords, the difficulty will not be less, if for "a proud"—in the proper sense of the word—you substitute a "pauper and dependent aristocracy." And if you do, rely upon it, you break down in that "proud aristocracy," the firmest breakwater and the safest barrier between that limited monarchy and that spirit of democracy which is fitly represented in the reformed House of Commons. Do not mistake me when I speak of the aristocracy. I do not speak exclusively nor mainly of that body which I have now the honour to address. I speak, my Lords, of the great body of the landed proprietors of this country. I speak of men unennobled by rank, and many of them undistinguished by great wealth, but who, and their ancestors before them, for generations after generations, have been the centre each of his respective locality—who have the *prestige* of old associations attached to their names; who conduct the business of their respective counties; who influence the opinions and feelings of their respective neighbourhoods; who exercise a modest and a decent hospitality, and preside over a tenantry who have hereditary claims upon their consideration and affections. My Lords, these are the aristocracy of this country to whom I allude. Reduce these men, and you inflict an irretrievable and irreparable injury upon the country. Lower them in the scale, and you have deranged the social machine beyond the power of correction. God forbid that the successful manufacturer or that the princely merchant should not take his place among the landed aristocracy of this country! Such infusions add fresh vigour and power to that class of the community; but depend upon it, if you sweep that class away at once with all the associations attached to their names, their families, their histories, and the previous associations which belong to the character of their families, and substitute a new body of capitalists, to come amidst an unattached tenantry, and a neighbourhood where no associations are connected with their names, their moral influence and effect will be irretrievably lost. I say I should not be satisfied if I were to believe that the loss would mainly fall upon the proprietors of this country; but I am satisfied that there never was so great a delusion as this. Why, a reduction of 10*s.* a quarter on wheat is equivalent to a reduction of 40*s.* an acre on a great portion of the wheat lands of this country, and when accompanied by a corresponding reduction in the price of other articles will go far to eat up the whole rental of the landed proprietor. My noble Friend on the cross benches most ably argued this part of the case, and I will not, therefore, dwell at any great length upon it. The fact is, that the loss will fall—ay, and they know it will fall—they showed by their feelings the other day—that it will fall, not mainly on the landlords, but on the tenant-farmers. The first step these tenant-farmers will take to relieve themselves, will be to suspend improvements—will be to discharge the labourers—will be to reduce wages—will be to drive those unhappy labourers into the manufacturing districts, to enter into hopeless competition there for the lowest class of employment in manufacturing labour, carrying their own wretchedness to pine away in the manufacturing towns, adding to the already grievous competition for employment, and thus pressing down the wages of the manufacturing operatives, as well as those of agricultural labourers. What would be the consequences to the landed proprietors of the country? I will assume even the case of one unencumbered by any debt, and whose income is entirely clear, though I fear such cases are the exception rather than the rule. But what is the first thing he does?

He dismisses a certain portion of his establishment. It is no great sacrifice of real comfort to him; but he turns into the labour market a great number of competitors for labour whom his fortune has hitherto employed; and, mind you, whatever else may be said against the landed proprietors of the country, I do not think that it can be charged against them that they are a class of men accumulating and hoarding wealth, and not spending their incomes at least as fast as they receive them. Well, then, they reduce the employment. And now mind what we are told, "True, but you may make up any loss yourselves. You have only to act up to the real principles of free trade." Well, what are these real principles of free trade? They are, to dismiss every useless and unprofitable hand; they are to employ no men beyond those who are absolutely required to make a profit to their employer. Are they to have no consideration whatever for tenants who may have been upon the land perchance for fifty years? No; it is more profitable to have one large farm than three small ones. Pull down two or three houses of human beings, and establish one great farm—it is cheaper, and will keep up your rents. Your new tenants have the capital; the others have none; let them go and starve. There are not above 600,000 tenants whose holdings are under 200*l.* a year—at least there were not in 1814. Do not stop at such a "drop in the ocean" as that. Turn them adrift; bring new tenants from a distance, from the Anti-Corn-Law League, place them on large farms, encourage them to spend capital, and then you will be able to recover all the injurious effects of a fall in the price of corn—that is, if the law did not prohibit it. But, my Lords, the law imposes upon you the burden—even if your own feelings would not revolt at such a system, the law imposes upon you the burden of maintaining all the poor. But I have too good an opinion of the landlords of England to believe that they would act on such principles. I believe, that to the extent of their ability they would go on giving the utmost amount of employment that they could. I believe they know that they have to deal, not with stocks and stones, but with men, human beings, with the same feelings, the same attachments, and the same affections as themselves. And I do not believe that under the pressure of the greatest difficulty the landlords of England as a body would adopt, even for their own protection, the cold and selfish and calculating doctrines of political economy and free trade. But, my Lords, if this system is to be adopted in England—if you venture to recommend this system in England, will you dare to advise that it should be carried into execution in Ireland? In Ireland the bulk of the population are small farmers, holding farms which vary from one to twelve acres—a farm of fifteen acres is a large farm; they have no capital and but little skill—they exhaust the land. I admit it—they do not pay half the rent which the employment of greater skill and capital would extract from the land. Carry into effect your doctrines of political economy, your landlords will suffer—but they may recover themselves. The clearance system I have often heard denounced as at the root of half the evils of Ireland; but the doctrines of free trade require a wholesale application of that system. You may make much more money, and preserve yourselves from all loss; turn off the farmers of Ireland, turn off your tenants, get capital, and in a little time after the existing generation are starved out, you will find that things go on very well. Possibly that may be so; but he would be a bold and a hardhearted man who tried the experiment. And then to tell me that this measure—this repeal of the Corn Law, is brought forward as a measure of relief to Ireland above all! I understand what you mean when you talk of relief to England. England is an importing country; it may be for the benefit of her population, though I doubt if it be found to be so in the long run, that the price of corn should be greatly lowered; but then as to Ireland, whose exports are exclusively agricultural, and which is entirely an exporting, not an importing country—to say that you are benefiting Ireland by reducing those exports by which alone she can obtain a return of the comforts of life and the articles of manufacture which she receives from you—that you are to benefit Ireland by reducing the value of her exports to the amount of 1,500,000*l.* or 2,000,000*l.* sterling a year, is a proposition which I would place by the side of that other paradox—that increased competition tends to raise prices. Lastly, and I am sure your Lordships will be glad to find that I am drawing to a close, I must call your attention to one branch of the question so important that it cannot be overlooked, and upon which, from the situation I lately had the honour of holding, I feel

that I am entitled to address you. I allude to the effect which is to be produced, not by the repeal of the Corn Law, but by the principles of free trade, and the doctrine of the removal of protection, upon the Colonies. Now your foreign trade takes a very large amount of foreign shipping, and a very small amount of British shipping—I beg to call your attention to the fact, in the first instance that by a Return laid before the House of Commons in the year 1845 the tonnage of ships to your Colonies was 1,273,395 tons British, entered inwards, against not one single ton foreign. Cleared outwards there were 1,263,432 tons British, against 3,702 tons foreign; your colonial trade, therefore, being as it always is, exclusively carried on in British ships, employing British seamen, and giving the profit of the trade on both sides to British subjects exclusively. I will not enter upon the extent of that trade. But here are a certain number of the Colonies, the exports to which, in the year 1844, amounted to no less than 14,247,714*l.* And now, my Lords, allow me to say, in passing, that when we calculate the amount of the export trade of this country, we include in that export trade, which bears so small a proportion to the home trade—we include in that trade the trade which goes on with your Colonial Empire, and amounting to one-third of the whole. Now, destroy this principle of protection, and I tell you in this place that you destroy the whole basis upon which your Colonial system rests. My Lords, if you do not know the advantages of your Colonies, Napoleon Bonaparte knew them well. It is by your Colonial system, based upon the principles of protection, that you have extended your arms—I do not mean your military arms, I mean your commercial arms—to every quarter and to every corner of the globe. It is to your Colonial system that you owe it that there is not a sea on which the flag of England does not float; that there is not a quarter of the world in which the language of England is not heard; that there is not a quarter of the globe, that there is no zone in either hemisphere, in which there are not thousands who recognize the sovereignty of Britain—to whom that language and that flag speak of a home, dear, though distant, of common interests, of common affections—men who share in your glories—men who sympathize in your adversities, men who are proud to bear their share of your burdens, to be embraced within the arms of your commercial policy, and to feel that they are members of your great and imperial Zollverein. It was said, I think, by Mr. Cobden, that a system of protection is a system of mutual robbery. I admit that it is "a mutual system;" it is a system under which, and in accordance with which, each surrenders some advantage to himself, for the purpose of partaking in the general advantage of all—it is a system by which each sacrifices something of the profits of his own trade for the purpose of ensuring a reciprocal advantage from others. I am not sure that it would not be found in the end to be a certain reciprocity of profits, a system in which both parties gain—both parties are secured against hostile interference—against foreign intrusion—against foreign caprice and foreign hostility—would in fact, in the long run, be that of which we heard so much, "buying in the cheapest market and selling in the dearest;" and that, even though the profits might not be readily or distinctly expressed in a money value. Sure I am, that whatever disadvantage may be sustained by the trifling additional amount of a protecting duty on articles of colonial produce; and whatever may be the small amount added to the cost on the British article under a protecting duty still the disadvantage is amply compensated by the extension of our power over the wide world—by securing for us in every quarter friends and allies—by securing for our people certain employment and certainty of consumption, uninterfered with by foreign competition—and by employing a vast amount of British seamen, ready to act at any moment in defence, and for the sustainment of the strength, of the Empire. Yes, taking into account all these things, I will coincide with Mr. Cobden in the correctness of his representation of the system of "protection;" if he will substitute for "mutual robbery," a system of "mutual insurance." I say, then, that upon the system of protection is based the whole of our colonial system. I know that your political economists are for casting off your Colonies, that they say let them trade with us, or with any other country—give them the full advantages of free trade—let us not restrain them—as they are removed from all protection, let them also be free from all burdensome duty. I do not say that I have any doubt as to the loyalty of these Colonies, for I have no doubt of their attachment; but I do say that you should not do anything to weaken that attachment—that you should be very careful that, in

granting commercial independence, you do not take a step to their political independence. You cannot tell them to trade freely with all nations, without also telling them to look no longer to you as their protectors. You tell the emigrant that from the time he sets sail from your shores, he is no more to you than a Dutchman, a Frenchman, or an American. You say to him, wherever you may be placed, you shall be entitled to no favour from us, and you will get from us no protection; you are like all other foreigners, and you are just as much connected with them as with us. We are now upon the question of corn; but apply this general principle to that particular article, and mark the results. Look at the trade with Canada, and see what will be the consequence of the abrogation of the Corn Law. I have heard this put forward as a great boon to our Australian Colonies. I do not exactly see how. At the present moment wheat from the Australian Colonies can be introduced into the market here, subject to a duty which never exceeds 5*s.* a quarter. Upon the payment of a duty not exceding 5*s.*, Australia has an exclusive admission to the protected market of this country. You are about to take away the duty of 5*s.* the quarter, which prevents Australian corn from being introduced here; and then if corn falls in price 5*s.* a quarter, so far is Australia from being benefited, that it is placed in a worse position than it was before. And now what have you done with regard to Canada? You introduced a Bill in which you promised to Canada a great advantage in the British market. You presented it to Canada as a protected market; and upon the faith of what you had done, she imposed a duty of 3*s.* upon corn and flour taken from America. You encouraged Canada to make a large outlay of money in improving the navigation of the St. Lawrence — you even lent her money for that purpose. You are now about to render that outlay valueless—you are going to break the promises held out to Canada—you are going to destroy its trade you fostered and encouraged. Nay, you are going to do much more—you are going to destroy the improved communication of the St. Lawrence. You are going to make the port of New York the channel of commercial intercourse between this country and Upper Canada, instead of your own St. Lawrence. Those who know that Colony know that on this point I speak the truth, and nothing but that—one that ought not to be treated lightly. It is a matter almost of indifference to the grower whether wheat grown in the Western States of the Union and in Upper Canada, is carried to New York or Montreal. The communication with New York is somewhat cheaper and easier. The market of Montreal regulates the price of the markets of New York; but now the corn of the Western States and Upper Canada comes down the St. Lawrence to Montreal, employing British shipping, and that in our own territory, because there is a differential duty in favour of its coming by way of Montreal, and against its coming by way of New York. But if this measure passes that will be changed, and the corn will come, not by your own St. Lawrence, in ships navigated by your own countrymen, but through the United States; and I will tell your Lordships what is the fact. There are merchants in Montreal who, in anticipation of this measure passing, are preparing to set up their establishments in New York. I say nothing of the effect you are producing upon the feelings of the people. I will say nothing of the shock you will give to the loyalty of the people; but I say this, you are doing your utmost to irritate them by the breach of your engagement to them. My Lords, I will not enter into details; but I will venture to remind your Lordships that as political independence may follow closely upon commercial independence, so political dependence on another State may also follow from commercial dependence upon it. Are the United States blind to this fact? Do they not see the nature of your suicidal policy? Are your Lordships aware of the Bill passed by Congress one or two years ago? That a Bill was passed, actually granting a drawback to the full amount, or almost so, of the import duty upon goods going into the seaports of the United States, provided those goods were carried through the United States, and reshipped to Upper Canada; and that a Bill is now pending in Congress for the purpose of extending the import of goods from Canada, to be reshipped to this country from the port of New York? Will that fact of the policy of the United States open your Lordships' eyes to the nature of the policy which you are pursuing? Again, your Lordships have read, or if not, I hope before you come to a decision upon this measure you will read the despatch of the Governor General of Canada. This despatch has been laid on the Table by Her Ma-

jesty's Government. It is from their representative, Lord Cathcart, who has been recently appointed. It is addressed to the Government, not in his own name, but in that of the whole Executive Council of the province of Canada. He thus writes :—

"My attention having been very earnestly called by the members of the Executive Council of this province to the apprehensions they have been led to entertain by discussions which have recently appeared in the English newspapers, pointing strongly to a change in the Corn Laws, I am induced, at their earnest desire, even with no better foundation, to bring the subject under your consideration by the mail which leaves this night, as the opportunities for communication at this season are so infrequent as to produce inconvenient delays. The province of Canada is so vitally interested in the question, that it is a duty of the Executive of the province to urge on the consideration of Her Majesty's Ministers a full statement of the necessity of continuing a protection to the colonial trade in wheat and flour, and of the effect of any changes by which the protection hitherto given would be taken away. The improvement of the internal communications by water in Canada was undertaken on the strength of the advantage of exporting to England our surplus wheat and flour by Quebec. Should no such advantage exist, the revenue of the province to be derived from the tolls would fail. The means of the province to pay principal and interest on the debt guaranteed by England would be diminished, and the general prosperity of the province would be so materially affected as to reduce its revenue derived from commerce, thus rendering it a possible case that the guarantee given to the public creditors would have to be resorted to by them for the satisfaction of their claims. The larger portion, nearly all, of the surplus produce of Canada, is grown in the western part of it; and if an enactment similar in principle to the Duties Drawback Law should pass Congress, permitting Canadian produce to pass through the United States for shipment, and the English market was open to produce shipped from American ports on as favourable terms as if shipped from Canadian ports, the larger portion of the exports of Upper Canada would find its way through the canals of the State of New York, instead of those of Canada, rendering the St. Lawrence canals comparatively valueless. The effect of the Duties Drawback Law has been to transfer the purchase of sugar, tea, and many other goods to New York, from whence nearly all of those articles for the supply of Upper Canada are now imported. Should such a change in the export of Canadian produce take place, it will not only injure the Canadian canals, and forwarding trade, but also the shipping interest engaged in carrying these articles from Montreal. A change in the Corn Laws, which would diminish the price the Canadian farmers can now obtain, would greatly affect the consumption of British manufactures in the province, which must depend on the means of the farmers to pay for them. An increased demand and consumption has been very perceptible for the last two years, and is mainly attributable to the flourishing condition of the agricultural population of Upper Canada. Even if a relaxation of the system of protection to the Colonies is to be adopted, it is of infinite consequence that it should not be sudden. The ruin that such a proceeding would cause is incalculable. The political consequences as to the government of the Colony involved in the foregoing suggestions are sufficiently obvious (viz., alienation from the mother country, and annexation to our rival and enemy, the United States), as also must be those arising from the trade of Upper Canada being, as it were, transferred from Montreal to New York."

I do not wish to urge this matter further. I desire but to show you what effect this Corn Law will have upon the single province of Canada. I have stated the case of Canada and the Corn Laws; and, having shown the effect which this measure will have upon the individual province of Canada, I will not trespass upon your Lordships' attention by entering into details with respect to other Colonies, or the effects which a similar course may have upon them. But there is one other point I must refer to. When we are told it is essential for the advantage of the manufacturers of this country that free trade should be established, and that no advantage should be derived by the Colonies, I presume that if you deprive the Colonies of all the protection they now enjoy, you intend to repeal that Act of Parliament which compels the Colonies to impose a differential duty in favour of your produce. I can conceive no grosser injustice than your refusal to do that, if you deprive colonial produce of the protection it has hitherto enjoyed. Protection is mutual—free trade must be mutual also. One half, or more than one-third, of your manufactures goes to the Colonies. There you are not exposed to competition. Hear now what is the language of Mr. Greg, a distinguished member of the Anti-Corn-Law League, as to those markets—the neutral markets—in which you are exposed to competition :—

"At present," says Mr. Greg, "we are undersold by foreigners in neutral markets, in all the staple articles of English manufacture. In the articles of cotton, hosiery, and cutlery, which amount altogether to three-fourths of our exports, this is notoriously the case. In cotton fabrics the Swiss undersell us in several markets. In cutlery, Sheffield is immensely undersold by the Alsace, and our exports are yearly decreasing. In hosiery the case is still worse. Saxony is driving us, not only out of the foreign markets, but out of our own. In hosiery we used to supply three-fourths of the American demand. We now scarcely supply any. Saxon hosiery, after paying a duty of 20 per cent, is sold in London 25 to 30 per cent cheaper than the produce of the Leicester and Nottingham looms. In Leicester the stocking frames have diminished from 16,000 in 1815, to 14,000 in 1840; whilst in Saxony in the same time they have increased from 4,590 to 25,000.

How far," says Mr. Greg, "with cheaper food, no taxes on the raw material, and no duties but for the sake of revenue, we might yet recover our lost superiority, is a matter for grave consideration. I do not believe we could either in woollens or hosiery, and even in cutlery or the cotton trade. I think it very doubtful. The machinery of foreign nations even now is not inferior to our own, and is daily and rapidly improving; and the capital is fast accumulating, and the yearly interest of it approximating to our own rate. In the only remaining cost of production, that is, the wages of labour, foreign nations have a decided advantage; and although a free trade in provisions, by lowering them here and raising them abroad, I doubt if it ever could be entirely recovered, yet better education, more sober habits, more frugality and general forethought, together with cheaper food, will, no doubt, enable our people to live in much greater comfort than at present upon considerably smaller earnings."

This, then, is the language of Mr. Greg, one of the leaders of the Anti-Corn-Law League; and he, on the part of the manufacturers, frankly intimates that the last chance for the success of what is called free trade resolves itself into a reduction of wages and cheapness of food. It is the last desperate experiment, and when you are called upon to give up markets which because they are protected, take one-third of your manufactures—when you are called upon to do this, to damage the home market, the proportion of which I take to be to the whole foreign markets at least as four to one, and this upon the chance of finding markets abroad, I really must say that the force of folly can go no further. I trust that you, my Lords, will not be led away by any fanciful delusions upon this subject. I trust that you will not, in yielding to these delusions, consent to sacrifice the home producer. I am sensible, though I have spoken at great length, how feebly and imperfectly I have performed the duty I desired to discharge. I know that I must have wearied your Lordships; I know that I must have indifferently fulfilled my task; but I do hope that your Lordships will give me credit for having kept closely to the subject; and I hope further that I have redeemed the pledge that I gave at the outset—that in no observation that I might make, if I could possibly avoid it, would I make use of an expression calculated to wound the feelings of any one. But before I sit down permit me to address a few words to those amongst your Lordships—and I believe there are many—who in their hearts go along with me in the arguments I have employed, and who regard with the same alarm that I do this measure; and yet who, for various reasons, are prepared to assent to the second reading. I can conceive various motives which may impel highminded and honourable men to take such a course. I know there may be those who feel ready to yield to the authority of the House of Commons—I entertain great respect for the authority of that House, of which I was a Member twenty-two years. But where on this subject am I to discover its authority, and how to collect its opinions? I can but discover them in its recorded votes. Am I to be bound by its votes of 1846, of 1844, or of 1842? When I find that a measure in 1842 was rejected by a majority of 213, and another measure to the same effect, in the same year, rejected by a majority of 114; when I find it rejected by a majority of 256 in 1843, and again by a majority of 209 in 1844, and when I find a Motion for a repeal of the Corn Laws rejected by a majority of 132 in June 1845, and when I find that same measure not negatived by a majority of 132, but affirmed by a majority of 98 by the same men and in the some House—I say that this sudden conversion must tend to diminish the value I attach to the authority of the last vote of the House of Commons. I respect the judgment and decision of the House of Commons; but not because it is a decision of a majority of Gentlemen more or less educated and enlightened. I respect their decision because it is the decision of the representatives of public opinion in this country; and if I am to take the decision of the House of Commons, I must, if I am to be bound by either decision, take that decision of the collected representation in 1842, rather than that of the collected representation in 1846, as the deliberate judgment and opinion of the people of this country. There are those who disapprove of this decision, but who, from a personal feeling of attachment to the Government, are prepared to vote with them. I sympathize with that feeling, but I cannot assent to the justice of the course. There are too great interests at stake in this question, to be complimented away out of deference to any Minister. Depend upon it, the public interests can never be benefited by the sacrifice of your own deliberate judgment, by turning round upon your own principles for the purpose of saving an Administration. My conviction is, that if you make the sacrifice, it will be made in vain, for there never was a Government which permanently maintained office, much less power, when it rested on the somewhat con-

temptuous sufferance of its opponents, joined to the ill-concealed disgust, and the lukewarm and half-ashamed support of its adherents. There may be those, my Lords, who hope, by giving their consent to this measure, to put an end to agitation, and to give satisfaction to the members of the Anti-Corn-Law League. When, my Lords, was an organized agitation put down by concessions extorted from its opponents? Depend upon it, that when this body shall have once tasted the cup of political power, the draught will be too sweet to induce them to relinquish it. I agree with my noble Friend, that this is only one of the measures which one after another will be the object of the Anti-Corn-Law League. Why, my Lords, there is no secret made of it. I do not say that every member of the Anti-Corn-Law League enters fully into those opinions; for I believe that there are many excellent men who have joined that body with none but commercial objects —who sincerely believe that free trade will be a benefit to the country and to themselves, and who would withdraw if there were any attempt to carry those objects further. But recollect, that agitation, having succeeded in one object, is not a thing easy to put down. Here is the language used by one of the free traders at a meeting held in this city, at which a Mr. Lawrence Heyworth was in the chair:—

"They were told of the wonders that resulted from public opinion, that it was performing something like miracles, converting Prime Ministers to right principles; but they must have something more than free trade in corn, fresh meat, and vegetables. The discussions which had taken place had enlightened the public, and they would begin to ask, why continue a system of levying taxes by which the trade of the country is decreased, and the comforts of the people lessened? Men would begin to ask whether it would not be better to have one tax—a tax on property—to carry on the Government of the country? Whether it would not be better to abolish the Custom-house system, to do away with the preventive force altogether, and to put up a board on the sea-coast with these words —'Honest traders of all nations may land their stuff here. No taxes. No duties.'"

In further allusion to the great principles of free trade, he said—

"They had lived to see their triumph in the most extraordinary way, but he would not have the friends of free trade to relax in their endeavours. They must remember the House of Lords yet lived. It was still the stronghold of the aristocracy. They were struggling now for something more than the maintenance of the present commercial policy. They had a sure conviction that free trade would not only give the people more comfort, but more independence, and this was the thing they feared. Commercial and trading liberty would promote intelligence, and give an increased impulse to those great principles of civil and religious liberty on which this country was placing its affections. After the settlement of the free-trade question, the people would then have more time to agitate for the great principle of universal suffrage. If it is good," said he, "for commerce to be free, it is good for man to be free. If it is good for cotton and corn to be free, it is good for man to be free. Gradually, human life was becoming of more importance—the very gallows was becoming odious. Everything which weakened the aristocracy, and increased the intelligence of the people, must be in favour of this noble and Christian principle."

And I beg the attention of the right rev. Bench to this passage:—

"Could they have free trade in commerce without free trade in religion; or could, under such a system, ecclesiastical despotism continue to blight our country? The time was not far distant when Catholics and Dissenters would ask, 'Why shall the Church of Christ continue to be bandaged by the trammels of the State? Why shall the ministers of the gospel be compelled to wear the State's livery? Freedom in religion, as displayed in the entire separation of Church and State, will be one of the glorious effects of free trade."

Lastly, my Lords, there is another motive which is most likely to operate with highminded men; it is an unworthy fear of the suspicion that they are acting from interested or dishonourable motives. My Lords, if I were speaking of an ordinary assembly, I might warn them of the danger of yielding to such motives; but speaking to the assembly which I have the honour to address, I feel that I should rather warn you against a bias in the opposite direction; against assenting to a measure injurious both to the public and to your own interests, lest you should be unjustly suspected of interested motives. My Lords, you have no right to yield to such considerations. You are the trustees for far more than your personal interests; you are the trustees for your country, you are the trustees for posterity, you are the trustees for the Constitution of the Empire. My Lords, you each, and all of you, live amongst your neighbours, by whom you are looked up to as the guides for their political opinions; from you your neighbours take the colour of their opinions and their views; to you they look, to your opinions a respectful deference is paid, and it is you who have encouraged and promulgated the opinion that for the great interests of the country agricultural protection is essential. With what feeling, my Lords, with what face, having voted for the destruction of all protection to agriculture, can you show yourselves in the midst of those neighbours, who have hitherto regarded you

with respect, and whose principles and opinions you have heretofore influenced? They will charge you, and charge you justly, as you now charge the Government, with having misled and betrayed those who have placed their confidence in you? Therefore, my Lords, if against your own deliberate opinions, you consent to pass this measure, be prepared to abdicate the hitherto high place you have held in the Constitution; if you sacrifice your own opinions to the intimidation of faction, the allurements of power, or the dictation of any Minister on earth, be prepared hereafter to be looked upon as a subordinate branch of the Constitution, to be looked upon only as the registrars of the edicts the House of Commons, and as the pliant of followers of the Minister of the day. My Lords, if I know anything of the constitutional value of this House, it is to interpose a salutary obstacle to rash and inconsiderate legislation—it is to protect the people from the consequences of their own imprudence. It never has been the course of this House to resist a continued and deliberately formed public opinion; your Lordships always have bowed, and always will bow, to the expression of such an opinion; but it is yours to check hasty legislation, leading to irreparable evils; and it is yours—though the Constitution can hardly have been deemed to have provided for such a contingency—to protect the people, not against their own hasty judgments, but against the treachery of those whom they have chosen to be their representatives. My Lords, if acting on your own deliberate and impartial opinion, scorning the degrading suspicion of being actuated by unworthy motives—you follow the course which, in your consciences you believe to be for the good of the country, you may fail in effecting your purpose, but you will not be contemned; overborne by numbers you may be, but not degraded. You may not succeed in averting the threatened evil; but you will secure the approbation of your friends, and compel the respect of your opponents. And if, by the blessing of God, your decision on this great question shall arrest the progress of this hasty and inconsiderate measure; if you shall thus give time for the intelligence of the country to act upon the public mind; if happily, you shall succeed in leading back the country to a wiser course, and in adopting the too much despised wisdom of your ancestors, then will you justly be a "proud aristocracy;" proud of having faithfully discharged the duty vested in you by the Constitution; proud of having withstood alike the seductions of power, and the threats of popular clamour; proud of having succeeded in saving your country from this great delusion, this hazardous and fearful experiment. Your best reward, my Lords, will be the approval of your owu consciences; but doubt not but that you will have a farther reward in the approbation of a grateful and admiring nation, to which you will have given just cause to exclaim, "Thank God, we have a House of Lords!"

Lord BROUGHAM: My Lords, you have heard a speech of singular ability, but delivered at so late a period in the evening, that whoever has to answer it may more justly complain of the time it took to deliver, than the ability it displayed; for amongst the many great advantages which my noble Friend enjoys over me, advantages which I need pot stop to enumerate, because all who have heard his admirable speech must at once feel to what I allude; but amongst those advantages, which intrinsically belong to him at all times, and at all hours of the night, he certainly has one advantage over me which is purely accidental, but which upon this occasion is equal to all his other advantages put together. He has made a most exciting, a most animated, a most spirited, and, over a large portion of your Lordships, a most successful speech; but it was also a very long speech—though I did not feel that it was long, or that it stood in need of those apologies for its length which he frequently addressed to us—so long that it makes me rise to address you, not at nine o'clock of the evening as he did, but at past twelve o'clock at night. This is a great disadvantage in any assembly, and more especially in this House, where we are not accustomed to protracted debates; but it teaches me one lesson—of some use to your Lordships—that of confining myself within narrow limits, and proceeding at once without further preface to the question. I trust, my Lords, as I am about to address myself not to those Members of the House with whom I agree, but to those with whom I have the great misfortune to differ, that I shall be favoured with some portion of attention, whilst I apply myself to answer my noble Friend. I waive with my noble Friend all personal allusions. He did well to keep them out of his speech. I will follow his example. But there is one sub-

ject of a personal nature I cannot pass over, and I will begin with it. I mean as to the origin of the present measure. [*A cry of* "Adjourn."] I beg pardon of noble Lords for interrupting them. I have a duty to perform; and if they have any duties to perform elsewhere, and especially if they think it becoming to listen to the arguments upon one side, and decline to hear a reply from the other, perhaps the sooner they go elsewhere to the discharge of those other duties, or to the tasting of those other enjoyments which they may prefer to anything here, or to the discharge of any duty, peradventure the House will not be the worse for their absence, and they themselves will very greatly profit by the move, which I recommend, and which I see they are with exemplary candour and justice taking advantage of. I beg to say a word in reference to my noble Friend, to whom I paid undivided attention, and from whom I promise to require not so much as one-third the attention that he exacted from the House upon the origin of the present question. I will proceed at once to the origin of the present measure. It is said to be the pressure of the famine, or the supposed famine, in certain districts in Ireland. My Lords, I doubt the fact of there being any general famine in Ireland. I have never heard it stated to be general; but that there was a great scarcity, a topical scarcity in many large districts, is a fact as certain as that we are sitting here in debate on this measure to-night. Then, says my noble Friend, that is no reason, it furnishes no sufficient ground, for doing away with protection, or for even opening the ports, as has been recommended. My Lords, I deny that fact; and I am ready to show by facts that it does. But I beg to observe in the outset it is perfectly immaterial to the merits of this Bill what was the origin of it. I might most consistently, if I were so disposed, say it was wrong to bring in the Bill this year—I might most consistently maintain, there is no ground for precipitating this measure with the speed with which it has been brought forward; I might admit that I can see no ground whatever for making us pass it in the year 1846. I might most consistently urge that Sir R. Peel did a rash, a speculative, and if you will, a most improper act by bringing in this Bill this year. Yet whenever introduced, under whatever pressure, however indiscreetly, I care not one whit; and if, upon the merits of the measure itself, I hold it to be a sound one, I am bound, as an honest man, to give it my support; else why did I urge the same policy when I brought forward the question in 1839? I state this in the outset, to guard myself against being supposed to depend upon extraneous and accidental circumstances as the ground, the real ground of my approval of this measure. But I am also free to admit that I see nothing superfluous, nothing rash or indiscreet, in the choice of the last autumn or the last winter, as the time for first proposing it. For what was the real state of the case as regarded the potato disease? Vast numbers of persons, my noble Friend admits, found themselves reduced to great distress by the failure of their crops; those persons having not merely their potatoes bad, but having no other wages wherewithal to pay for food except the produce of their little plots of ground, that unhappily being the currency, as it were, in which Irish labour is mainly paid. Are your Lordships aware what has happened since this measure was originated? Is my noble Friend ignorant of what has happened since it was introduced into the other House? He omitted to notice it, but surely he is aware of the change which has taken place—namely, that one part of the measure which naturally belonged to the Corn Law has been transferred therefrom, and inserted in the Customs Bill, and by the force of that change there has been already effected an importation of foreign maize? Maize has been allowed to be imported, as if the Corn Bill had been passed, and we are now enjoying the benefit of the alteration. How does that apply to my noble Friend's argument, who says that this measure is unnecessary, and mischievous, and speculative, and that as a remedy it will not meet the case to which it is applied? Why, it does meet the case to which it has been applied, for it is in order to provide for the wants created by the diseased potato crop that maize has been introduced; and those connected with the sister kingdom will tell your Lordships that they have been thankfully feeding not their cattle merely, but the poor peasants of the country with it. Therefore the measure has even already been applied, and successfully. Then, says my noble Friend — and no part of his able and excellent address appeared to me to excite greater approbation than this, for it led away some Friends near me for a moment, but only for a moment—"Why you lead the poor Irish peasant to see that

because his potatoes are useless, you take away the protection from his corn—you make him sell his corn cheaper, so that he burns his candle at both ends. You do not give him food to supply the loss of his potatoes; but you take away his means of purchasing both food and potatoes by cheapening his oats." No part of my noble Friend's speech made a greater impression than this. But at last came the answer to it in my noble Friend's own conduct; for he admitted candidly, that he was perfectly ready to have opened the ports, and for a period to have let in oatmeal, to lower the value of the Irish peasant's oats, thus lowering the price of his produce, lessening his means of procuring food, and doing himself the very thing at the bare prospect of which he trembled so greatly, if this measure became law. I only mention this, as one little instance, to show that my noble Friend had no right to charge others so lavishly, and, as he did upon all sides, with inconsistency; to remind him that he had better look at home when he launched such accusations. He said he was afraid he could not confine that charge to those who sat upon one side of the House, but that it applied just as much to those who sat upon the other. Is not my noble Friend himself a little liable to the same charge? I do not say I bring it as a charge against him—far from it. But he charged all around with inconsistency. He says, the Ministers are paragons of inconsistency; but he does not let the Gentlemen of the Opposition triumph over them, for he says they have been as inconsistent themselves. But, has my noble Friend none to account for himself? In the first instance, here is this little inconsistency, whereby he entirely subverts the most eminently successful part of his whole speech, that of the potatoes and oats in the case of the Irish peasant. Is there nothing else? Has my noble Friend forgotten the Canada Bill? Has he forgotten what was done in the Canada Bill of last Session or the Session before? I highly approved of that Bill—I heartily supported it. I defend the consistency now as I did then of those who had their consistency then impeached; I defend men of all sides from my noble Friend's charge; but among others, I defend my noble Friend himself, the author of the Bill. He has accused all, but none more than himself. What was that Bill? It was a free-trade Corn Bill for Canada; it was a Bill giving Canada corn-law repeal; it reduced the duty upon the importation of American bread stuffs into that Colony to 3*s.*; it allowed the whole of those American bread stuffs imported into Canada to be brought over to England—where the Corn Law still existed—where protection was still in being—and where protection was still said to be absolutely necessary to the landlord, the tenant, the peasant, the labourer, the manufacturer, the aristocracy, and to all our institutions. Without protection we could not continue to exist; all those ranks of the people, all those classes of the nation, were to enjoy the full benefit of corn-law protection just as much as ever they did. Yet there was exactly 1*s.* duty and no more laid on, be the price ever so low, and no sliding-scale at all was applied. No sliding-scale was to range, as in the Bill of 1842, which my noble Friend supports to this day; and, whatever the price might be, whatever was admitted, at any port, was admitted at the nominal duty of 1*s.* the quarter. What is the reason? That reason my noble Friend gives. I do not mention this to taunt my noble Friend with inconsistency, but to show that *ne mo omnibus horis sapit*, there is no one who acts the part of a wise man at all times—if wisdom is to consist, as we now are told, in clinging by whatever has once been appointed, and it be true that no one acts the part of a wise man but he who refuses to profit by reflection and further experience. If, then, there is no one upon any side free from inconsistency, is my noble Friend himself totally free from the charge of having at different times been a party to opposite measures? But it is not to point out that, for it would be to a useless purpose, that I rise; but to show that the argument by which my noble Friend supported the Canada Bill is applicable to the present measure. "Think," says he, "of Canada, of the increase of population; consider how rapidly the numbers of our people are augmenting from day to day; think of England, and that every year are added between 300,000 and 400,000 to the numbers of the consumers of food in this country, and that, unless you bring down that food to the lowest possible price, you cannot hope long to feed those increasing numbers, and you cannot discharge your duties to your country." My Lords, the same argument applied to the Corn Law at all times; and it is upon that ground of its applicability at all times, and

without reference to accidental or temporary circumstances, that those I act with now are, and that I have ever been, the advocate of free trade. This leads me to observe—and here I come at once to the point which is the main stress of the question—upon the probable effect of the repeal of the Corn Laws in reducing prices. I wish I could take the same view that my noble Friend does. I heartily wish I could believe in the possibility of one-fifth part falling—that I could believe in 20 per cent of the price of grain being taken off by the repeal of the duty. The Government are charged by my noble Friend who spoke from the cross benches, as well as by my noble Friend opposite, with having refused to answer this question — what effect is the repeal of the Corn Law likely to produce on prices? I should have thought a more difficult question to answer could not have been propounded by any noble Lord. Why, to tell what increase or diminution of prices will take place in any given article at a distance of two or three years, the law, the commercial policy, the national relations remaining unchanged, is one of the problems the most difficult in the whole universe to answer. What must it be, then, when its conditions are unascertained—when there will be a change of considerable magnitude in the nature and amount of your importation, and you literally have not the data, do not and cannot possess the means of forming any just calculation? Observe: wheat is now selling, we shall assume, at 30*s.* in Dantzic under the existing law; the question is, how cheap it will sell in England when the Corn Laws are repealed? In order to tell that, you must be able to tell what will be the effect of the English markets being open on the market of Dantzic. The question is not whether it is now sold at 40*s.* in Dantzic, but what will be its price after the ports are opened in England? Can any man doubt that the immediate effect of opening the ports here will be to raise the price of grain in foreign ports? But then, says my noble Friend, a great deal of new land will be brought into cultivation. But your Lordships must not suppose that this is an operation so easily accomplished in all the countries of Europe as it is in Middlesex or Bucks. We constantly hear of the clearing of land in the Ukraine, in the countries surrounding the Baltic, or in Hungary, as if it were the easiest matter possible. I do not know if my noble Friend knows less about Hungary than the Ukraine—probably he does not know more; but if he inquires of any Hungarian nobleman now in England as to the possibility of suddenly clearing such a breadth of land as to export to this country 500,000 quarters more than are now exported from Odessa and the ports of the Danube, I believe he will find that he reckons quite without his host. Just consider for a moment what is the operation to which some look forward with such alarm. It is that acre after acre shall be suddenly cleared away, if covered with forests, by stubbing up the trees, digging out of the roots, and getting rid of all the timber, so as to convert it into arable soil instead of thick woodland; then that fences and inclosures shall be made, that roads should be made, that barns, and other buildings shall be constructed. Can that be done without a numerous host of skilled labourers, such as is not to be obtained at once? Will the population of those countries go on increasing at the rate at which yours is augmenting, of one thousand a day? That is not all; capital is required, and where is it to come from? The slowest of all growths is that of national capital. It is stated that in this country every tenant, to cultivate a farm already in cultivation, must have capital to the amount of 10*l.* an acre, 1,000*l.* on a hundred acres. But how much per acre will it require in the Ukraine or in Hungary to clear a primitive farm, and to bring it out of a state of nature into a state of culture? My noble Friend, however, supports his argument upon the authority of his respectable correspondent (I suppose Mr. Sanders), and upon the authority of that gentleman my noble Friend tells your Lordships that the effect of this Bill will be to cause the cultivation of 5,000,000 additional quarters.

LORD STANLEY: No; it was not Mr. Sanders. That writer said if the price should be from 36*s.* to 40*s.* within three years, there would be a supply of 5,000,000 quarters from abroad.

LORD BROUGHAM: Why, that is just the same thing. My noble Friend is a little fatigued by his speech, and has not recovered his faculties, otherwise he would have said yes instead of no. There is no difference.

LORD STANLEY: There is the difference between suddenly and three years.

LORD BROUGHAM: That "no" is in effect "yes"—my noble Friend seems to

say no, but really the effect of his answer is an affirmative, and the result is that I am right and he is wrong—three years! Surely in talking prospectively of the eternal interests of trade, three years are but as an instant. When we are dealing with that which has endured since the time of Henry IV., to which my noble Friend referred us, any thing that depends upon a period of three years may well be called sudden—it is most sudden. No doubt that writer is a respectable correspondent, but I wish he was a little more sensible. I do not require that he should be a man of powerful intellect or large views, because he is not giving any opinion; but I am entitled to require that he should be a rational man, seeing that he speaks to matters of fact. If I am called upon to be governed by his authority, I must be satisfied that he is trustworthy; I must have no reason to suspect any lack of judgment; I must be convinced that he is able to put two ideas together; I must require him to be in his sound senses; and yet when I consider the correspondence of this gentleman, I cannot repress feelings of the utmost astonishment at the monstrous fables which he tells. Of all the blunders in the way of calculation, I never in all my life heard one so monstrous, portentous, and incredible as this, that in the short space of three years, nay, if you will, three years and three days, as the lawyers are accustomed to say, 5,000,000 quarters are to be added to the produce of the cultivation of foreign countries, and to be poured into our ports to overwhelm our markets, to deluge our agriculture, and destroy our industry. I believe nothing of the sort. Any increase in the growth of corn from Ukraine, Hungary, or the forests of Poland, must of necessity be gradual and slow. No application of capital and labour can for years be expected, such as to make it possible greatly to augment the supply. No application of capital can for years be expected equal to the management of those lands, and the carying on of those extensive works. Consequently, we must calculate on a very moderate decrease of prices, and a very slowly augmented supply to meet our demands. At the same time, I by no means intend to argue that there will be no diminution of prices, though I perfectly recollect that a noble Friend of mine, now no more—I mean the late Lord Spencer—held that such a change in the Corn Laws as is now proposed, would not effect any diminution whatever in the price of provisions. That was his deliberate and serious opinion; and though I have always thought that that opinion was entitled to the highest respect, like every other opinion entertained by that noble person, I still hold that there was in it something of exaggeration; and my expectation is that in the price of corn there will be a small, a moderate reduction after the passing of this Bill. But there is a class of men to whom I may appeal—and my noble Friends on the cross benches will surely join me, for there is no class to whom they appeal more willingly, or for whom they profess greater respect—I mean the tenant-farmers. Now, it does happen that the tenant-farmers, whatever the landlords who care for their interests so zealously may think, have no such apprehensions. I state it as a fact that, generally speaking, if you inquire in different parts of the country, you will find that the great bulk of the tenant-farmers labour under no apprehensions, though I believe there is no class more likely to be sensitive. I have made it my business to inquire practically into the feeling among them in different districts, and the result of my examination is that they are not apprehensive of a change. If they are apprehensive, they take extraordinary pains to disguise their fears, and adopt the most singular mode of showing that they are tremblingly alive to the dangers of their present position. For what do your Lordships think they do, in order to show that they dread the repeal of the Corn Laws, and tremble at surveying the ruin it is likely to produce? They take farms when they are out of lease without any hesitation. Wherever the land happens to get out of lease, is it not a fact that the applicant for it has invariably some half a dozen competitors? But then, perhaps, there is a reduction of rent? There is no such thing. The fact is directly the reverse. My noble Friend (the Duke of Richmond), who seems to regard my statement with very great contempt, has no doubt a right to despise my opinion, he having very great experience in such matters, and I very small experience; but I can assure him that in all parts of the country where I have been able to make inquiries I have learned that instances have occurred of farms having been let at an increase of rent, while there has not been any instance of the rent having been lowered in consequence of any

apprehensions arising from this measure; and what is more, that there has not been any instance in which there was not a number of competitors for the land to be let. In Durham a friend of mine asked some tenant-farmers who were about taking land, whether they were not aware of what was going on in Parliament, and whether they were not afraid of the risk which they ran in entering upon fresh engagements with their landowners; and their answer was, "Oh, we have taken it all into account, and we have no fear whatever of the result." In one instance an advance in the rental of a farm had been made of 70*l.*, and in another of 120*l.* a year. My noble Friend the Chairman of the Committees has had some experience in these matters, and he can, I believe, bear me out in what I say as regards Dorsetshire; and I can assure my noble Friend at the Table (Earl Stanhope), who seems to doubt these facts, that precisely the same state of things is to be found in the county of Wilts. As to the certain results of this measure, I certainly would form a very mean opinion of the judgment or the modesty of any one who should take upon himself to say confidently that he could form a precise opinion of the result of the measure. We should speak with great moderation on the expectations that are to be formed of the effects of this or of any other great change. That prices may to a certain degree be diminished, I will not deny; but what the precise amount of price under this measure will be no one can say. I have a little doubt that, to a certain degree, wheat will be cheaper, not immediately, but after a little while, and in the course of years it will come down, perhaps, 3*s.* or 4*s.* a quarter; but I speak with no kind of confidence. When I mention this amount, I do not mean to pledge myself to calculation of the precise sum, for I think nothing would be more absurd or conceited than for a man to take upon himself to express such an opinion dogmatically. I only mean to say that the change of price from this great measure is not likely to be more than the amount I have now suggested. But that is not the main ground of my approval of the measure. I am confident that the agriculturists will benefit much more in other respects than they will apparently lose by any reduction in price from this great improvement in the laws; for I look forward to the measure as one which is certain almost immeasurably to extend the foreign trade of the country in a very short period. Before, however, I come to that part of my noble Friend's statement—and here I must say that some of these statements put forward by my noble Friend have rather puzzled me, and I hope we shall receive a little more light from the noble Lord hereafter, either in or out of the House, for they have left me perfectly in the dark—I wish, before alluding to them, to turn to another part of the speech of my noble Friend. My noble Friend has again and again stated, both by quotations and in his own language—which is certainly not inferior, but is really superior to the language of the authorities that he has cited—that the object of all laws of protection is to make this country independent of foreign supply with regard to the article of food; and among others he quoted Mr. Huskisson as having been of that opinion. Now there can be no doubt whatever that the interest of this country and of every other country requires that the bulk of the food of the people shall be grown within the country. With the exception of the United Provinces of Holland, there is no instance where the people are not of necessity fed by the corn grown within the bounds of their own country; and, as far as England is concerned, the utmost you can expect from abroad is relief in a time of scarcity, or a supply to diminish the dearth of a bad year. Even in years of famine there never have been two millions of quarters of wheat brought in one year into the country. In 1800 and 1801 the supply for each year was only 1,100,000 quarters of corn, and 200,000 quarters of flour, or about a million and a quarter of quarters altogether; and in the year of the greatest supply, 1810, there were not more than 1,500,00 quarters imported. Why, therefore, do you wish to continue these restrictions? And why do you say that the people of this country ought to be independent of the people of other countries for the supply of food? Oh, it is said, foreign Powers may change their law, alter their policy, and, at any moment, close their ports and starve you. I have an answer to that in one word; I point to 1810, and I say that your argument survives not the mention of that year one single instant. When did you ever see the Continent under such a power as that to which it bowed in 1810? When, ever again, are you likely to see it enthralled by such a mighty hand as that which then grasped the

universal sceptre of Europe—I may say, of the continental world. Do you remember what year that was? Talk to me of petty Sovereigns now stopping exportation from Egypt, from Belgium, from Antwerp, from the Hague: why then, Napoleon, in his iron grasp, held, as I said before, the sceptre, not of France only, but of all continental Europe; and do you remember the degree to which he had enforced his despotism over these States? Why, from the very centre as it were—from the heart, the pulsations of which vibrated all through Europe—from Paris to the extremities of the Continent, he could send forth an edict to shut all Europe against us. From the Channel to the Gulf of Leghorn, from Paris to the uttermost plains of Poland, there was not one single person in authority, not a troop of horse, not a company of foot, not a custom-house officer, not an exciseman, not a policeman, who did not tremble at his name, or who dared question or contemn his mandate. Is that likely to happen again? Did that ever happen before? And yet, what was the result of it all? Was Napoleon bent upon any single thing so much as destroying the trade of England? Was he bent upon any one project so much, was anything so dear to his heart, as sealing up our own produce, and preventing any one bushel of corn ever reaching this country? And yet the result of it was that 1,250,000 quarters, or, including flour, 1,514,000 quarters, were imported into England during that same year—1810, being greater than ever reached us in any one year. And not from outports, observe, where his power might be supposed to be somewhat weakened; not from Odessa, where he had least influence; not from Africa, where, it may be said, he had none; not from Naples, where his strength was unimportant; not from Sicily, the olden granary of Rome—no: no such thing; but 99 parts in every 100 of those 1,514,000 quarters came from France itself—from thence imported into this country. The mention of that year, 1810, at once extinguishes the argument, and lays it prostrate before me. The noble Lord said the protection system was supported by universal consent. He quoted our own law to show how deep a root it had taken. But if we are to go back upon old statutes, I could furnish the noble Lord with many examples of as ludicrous statutes, of as absurd provisions, as he could wish to see, which the wisdom of our ancestors, to which he so eloquently referred, fixed in the Statute-book, and carefully preserved for our amusement and our wonder, if not for our instruction. The laws against forestalling and regrating were once said to be the pillar of our commercial prosperity. These are things now laughed at by universal consent. But it was no laughing matter when those laws were in force; it was an offence for people to forestall and regrate, and men were punished by imprisonment for committing that offence: no man could buy standing crops; no man could purchase corn for the purpose of selling it again at market; no man could purchase corn before it came to market—there was to be no middleman. The object was that the good, worthy, honest tenant-farmer should come to market that he might sell corn cheap to the people. The law said, "You shan't buy corn to sell again;" and the same rule was applied in the case of hops. But, said the noble Lord, other countries have the same law. Are not these, he triumphantly asks, the great countries of the world? And have they not laws for the protection of native industry? Another part of the noble Lord's speech gave the answer to this argument, that notwithstanding their protection law, they all had found it necessary, when there was a pressure on the means of subsistence, to suspend that protection law. The protection laws of Belgium, of Holland, of Egypt, were all suspended in the autumn of 1845. It was no bad or useless commentary upon the inefficient nature of any system of laws, that those countries were obliged to get rid of them the moment the pinch came. My noble Friend then argued that the trade of the country was not likely to be benefited by this great measure: and here I may defend him against himself; because anything more unfeeling, more harsh, more cruel, I should say more uncharitable—nay, I should almost say unchristian—than his treatment of himself in his argument on the Tariff, I never witnessed. I could not have believed that any one would have had so little bowels of compassion as the noble Lord showed toward himself. I pitied him. My noble Friend is so great an artist that he drew himself in such colours that I sorrowed for him. I was forced to separate the two individuals. There is one active and one passive—the party punishing and the party punished—and yet it is one and the same person who punishes and is punished. I wish to say one word, if not in defence, at least

in extenuation, to rescue him from the severity of the merciless infliction with which he has been visiting himself. The Tariff, his own Tariff, did not deserve all the vituperation which it received at his hands; and I wish to say one word in its favour before sentence is recorded. No rational man would say as he charged some reasoners with alleging, that increased competition among producers tends to increase prices. By increased competition among producers you reduce prices. But the object of the Tariff was to enable you to obtain cheaper goods from abroad, and to enable you thereby to send your own produce more advantageously to foreign parts. The noble Lord said the Tariff afforded no precedent for the present measure. "See," he said, "with all your Tariff of 1842, to what it is come! What advantages then do you expect from a repeal of the Corn Laws?" Very great advantage, I should reply, because that repeal will extend further over foreign trade already increased exceedingly by the Tariff. I must refer to the argument as to the increase of seamen, and the diminution of the tonnage of vessels. It is said, taking so many years before the Tariff was adopted, your vessels in the Baltic trade were so much; taking a similar period since, they are so much less. The proportion was somewhere about 6,400 to 5,300. That was a very trifling diminution; and if the means of transport were made up by foreign vessels, your trade was so far extended; these foreign vessels carried your goods, and we find that the difference before and after the Tariff is made up with a vengeance; for the number indicating the increase of foreign shipping engaged in your trade after the Tariff is 17,000. This is a most complete demonstration that our trade has increased, for in whatever ships it is driven the traffic is exceedingly increased. Then my noble Friend called on noble Lords to attend to a report of the American Secretary of the Treasury; and as I may have found an ex-secretary wrong, so I may find an actual secretary equally wrong. The statement which the noble Lord read does not prove that we take less from the United States than the United States take from us. Did they get what was stated as imports for nothing? You must pay the balance in bullion, or in goods. Did we send 2,500,000 dollars to clear off the balance? No, we paid it in foreign produce. It is what is called a "roundabout" trade, and is almost as profitable as a direct trade. Then we are told the same thing occurs in Russia. About 11,000,000*l.* were imported from Russia; 8,000,000*l.* only were exported to Russia; there was a balance of 3,000,00*l.* Are we to believe that, the Americans having made us a present of two and a half millions of dollars, the Russians have been very anxious to vie with them in kind generosity, giving us three millions sterling of their goods for nothing; as if the two hemispheres were emulating the one the other—the West endeavouring to prove to the world that she is able to excel all that has been told us of the "gorgeous East with richest hand?" But we have received no such gifts from either of them. If we have not sent them our own goods, we have given them the coffee and the sugars of Brazil. But, my Lords, what is my expectation with regard to the Corn Law, so far as relates to foreign trade? I do not look forward to any rapid, sudden, instantaneous increase of our traffic with foreign countries; but one thing I confidently expect, that if we set the example, and remove the restrictions from our commercial code, other countries will follow the same line. We do not live in a period when any country, especially countries like France and Belgium, with constitutional Governments, or Germany, which is likely soon to obtain constitutional Government — countries where the voice of the consumer is heard, and the opinions of the capitalist and manufacturer are consulted—are likely to remain behind; those countries, you may be perfectly assured, if you withdraw your restrictions and change your narrow illiberal line of policy, will effect a corresponding change in theirs. Of this also I am certain, that you can do yourselves no kind of service by retaining your restrictions; even should the improvements of this system be postponed by other countries, you will be none the worse for it; while, if your example be followed by them, it will be a most important and valuable benefit for this country. I am not one of those who take the gloomy view of the subject that Mr. Greg and the correspondent of the noble Lord, had done. If ever I heard a statement of opinion—and I had never heard that before—touching any subject, and on any occasion which seemed to be made under the influence of the prevailing bias of a man's mind, it is that statement of Mr. Greg. According to him, we are plunged into the abyss of ruin:

our capitalists make no profit, our manufacturers are undersold, labour is so dear that there is hardly any chance of obtaining it cheap enough to enable us to enter into competition with the labour of any country, placed in more happy circumstances. But if we are in such desperate condition that there is not an article nor a market in which the foreigner does not undersell us, as Mr. Greg thinks, how is it that our exports have gone on increasing from year to year, till last year they were greater than before? My noble Friend has at great and much more needless length dwelt on the vast amount of our trade—a fact wholly beside the main question, because both sects equally admit it; but it is fatal to Mr. Greg's alarms, though to the argument on the present measure it had no more application than to any other Bill, public or private, of the Session. Before I sit down I wish to say a word upon the sliding-scale. My noble Friend, although he did not say much in favour of the Tariff, did speak in favour of the sliding-scale; and he asked why alter a system which had been approved as working so advantageously? That argument, at least, does not apply to me, because I never approved of the sliding-scale; it is strictly an *argumentum ad hominem* to those who did so approve it. I never did; and my argument against it was this—that the immediate and inevitable consequence of a sliding-scale is, a great accumulation of corn in the foreign ports, or in the bonding warehouses, ready to pour in upon us, and thus all of a sudden the market is flooded, and drenched, and overwhelmed with the influx at the very moment when the home grower can least bear up against it. But let me remind my noble Friend, that the years which have passed since 1842 are not such as could test the sliding-scale. The test of the sliding-scale is the pinch of a year of scarcity. We have happily no such thing. In the year 1842 there was a good crop; in 1843, a better; and that of 1844 was the best of all—the best known for a long time. The crop of 1845, although not excellent as to quality, was not deficient as to quantity; while that of 1844 was so amply abundant that no less than three months' consumption of the produce of that year would remain after the harvest of 1845 had been gathered, nay, after its consumption had been grown. Under those circumstances can any man possibly argue the merits of the sliding-scale as regulating the price and maintaining steadiness in the market upon the experience of facts? The case has never arisen, and the sliding-scale may have all the merits that have been attributed to it; but they have not yet been proved to us by any kind of experience. My Lords, I have argued this case as I always have done, with a total abstinence from inflammatory topics. Your Lordships will bear me witness as to the manner in which I brought it forward some years ago. In the same spirit I argue it now. I am no party to the follies and exaggerations regarding this subject which I have observed to prevail out of doors. I am no party to the abuse which I have seen heaped upon the landowners of this country. My Lords, I view the landed interest of England as the great, the substantial, the most important of all the interests it contains. I regard the advocates of that interest with unalterable affection and respect. Even where I differ from them in opinion, and do not join with them in the conclusions they arrive at, I view them as performing a great, a conscientiously discharged duty to their country. Above all, I deny that the supporters of the landed interest in this realm are only to be numbered by the landlords and the tenants, the yeomen, and those who are more immediately engaged in the cultivation of our soil. The great landed interest of this country is of weight, and of power, and of influence enough to counterbalance all the other interests, if they were put into the scales, the one against the other. That has ever been my fixed and decided opinion. But they are not to be put in opposite scales; for there are ranged on the side of the landed interest, not perhaps the middling merchants and petty tradesmen, although the tradesmen in the country towns will always be found ranked with it, but all the great traders, all the great capitalists, all the important mercantile men in the kingdom, all the great mercantile bodies, the Bank, the India Company, the Insurance Companies—the Railway Companies, the Law, the Church, the Army, the Navy—all those bodies forming the prodigious mass of the whole power, and wealth, and influence of England; one and all are found for the most part, and in the main, and in the long run to take part with the landed interest as the great Conservative body of England, the guardians of the institutions of this Empire. Therefore, my Lords, be sure, that when I have made up my mind to support this measure of Corn Law re-

peal, for the purpose of taking away what I think is most fallaciously thought to be, and what they erroneously call, natural and necessary protection, be well assured, with these opinions which I hold, and have ever held, that, regarding the vast importance of the landed interest, I am the last man in the world to give a consent to this measure if I thought, by its passing, that the interest, the safety, the security of that great body were placed in jeopardy. But that, my Lords, is not my view; and when I am told that our institutions require this protection, and that without this protection of raising a little the price of food—and if it be to raise it but 1*s.* a quarter, it is a poll-tax paid by every man in the country; and suppose you wanted to raise a million and a quarter, is not that the last tax you would have recourse to, however much you stood in need of it, ay, though the maintenance of your fleets and your armies were endangered—is not a poll-tax even of 1*s.* the very last that any man in his senses would propose in order to raise the necessary supplies? And yet if the Corn Law keeps up the price of the subsistence of the people only 1*s.* a quarter, it is a poll-tax upon every man, rich and poor, in the kingdom. Therefore, my Lords, although I do not consider that the protection of the landed aristocracy requires such measures, or that they are essential, as has been fantastically supposed, to the preservation of our precious, our immemorial institutions, though, on the contrary, it is my opinion that the sooner such measures are done away with the better will it be for the interests of that aristocracy, and the more secure will be those institutions, I will tell the landed aristocracy where to look, if they would find protection for themselves and a bulwark for those institutions. Let them rely upon themselves. *Si munimentum quæris circumspice.* Look around at the display of talent which has been evoked by the discussion of this great question to-night, which was evoked by the debates elsewhere, and let those blush for shame, if they are capable of doing so, who ever ventured to talk with contempt of the talents, the accomplishments, the acquirements of the aristocracy of this country. Not to speak of my noble Friends who addressed you with such power to-night—the noble Duke who moved the Amendment, and the noble Lord the late Colonial Secretary—let them reflect on the splendid exhibition of debating power which was made in another place during the entire of the discussion on the Corn Bill. My Lords, it calls to my remembrance a fable which was related of old, of one who went to a magician and begged that he would discover to him a treasure in his field. The magician told him to labour at his field, to dig up the entire surface, and not to leave a single clod that was not upturned. He went his way, and complied with the direction, nor desisted in his toil till every clod was reduced to powder, and all was exposed to the genial and fructifying atmosphere, but no piece of gold was discovered, and the hapless labourer — for so he considered himself—returning to the magician, bitterly complained that he had been deceived. "What," said the wise man, "have you found nothing?"—"Not one farthing," replied the husbandman, "in the whole field, although I dug up the entire surface, and left no sod unturned." "Go," said the magician, "sow the field that you have dug, and you will find a much greater treasure in the crop you will reap next harvest, than in any piece of gold you could possibly have found." And so, to apply the allegory, I would say of the landed aristocracy, "Although they have failed (and fervently do I hope that they may fail here as they have elsewhere) in obtaining the object of their great exertions—although they have not found the treasures they sought for—although they have failed in getting the measure defeated against which they are leagued, they have, notwithstanding, gained another and a greater object—they have achieved a more effectual protection for themselves, and a better security for those institutions of which they are the chosen guardians, and, I will freely admit, the best defenders; for they have made a display of ability, have shown a talent for affairs, powers of debating, and intellectual endowments of every description, such as their adversaries gave them little credit for, but which they may themselves well be proud of, and from which their country will hereafter most assuredly derive lasting benefit, and their order imperishable renown. No longer let them rely for power on their pride of heraldry, their proud castles, the immemorial splendours of their ancestry, but take that position to which they are entitled as well by merit as by birth. My Lords, I have studiously avoided all personal allusions; but I should fail of discharging a duty which I owe as a citizen of this country, and as

a Member of this House—a debt of gratitude upon public grounds, but a debt of strict justice as well—did I not express my deep sense of the public virtue, no less than the great capacity and the high moral courage which my right hon. Friend at the head of the Government has exhibited in dealing with this question. He cast away all personal and private considerations of what description soever, and, studiously disregarding his own interest in every stage and step of his progress, he has given up what, to a political leader, is the most enviable of all positions—the calm, unquestioned, undivided support of Parliament; he has exposed himself to the frenzy of the most tempest-troubled sea that the political world in our days, perhaps, ever exhibited. He has given up what to an ambitious man is much—the security of his power; he has given up what to a calculating man is much—influence and authority with his party; he has given up what to an amiable man is much indeed—private friendships and party connexions; and all these sacrifices he has voluntarily, and with his eyes open, encountered, in order to discharge what, be he right, or be he wrong, he deemed a great public duty. He, in these circumstances—he, in this proud position—may well scorn the sordid attacks, the wretched ribaldry, with which he is out of doors assailed, because he knows that he has entitled himself to the gratitude of his country, and will leave—as I in my conscience believe he will leave—his name to after ages, as one of the greatest and most disinterested Ministers that ever wielded the destinies of this country.

Debate adjourned.

House adjourned.

HOUSE OF COMMONS,

Monday, May 25, 1846.

MINUTES.] PUBLIC BILLS.—*Reported.* Corresponding Societies and Lecture Rooms.

3ª and passed. Superintendent of Convicts.

PETITIONS PRESENTED. By Mr. O'Connell, from an immense number of places, for the Immediate Release of William Smith O'Brien, Esq.—By Mr. Duncan, from Ministers and Elders of the Free Church Presbytery of Dundee, and by Mr. Thomas Hepburn, from Members and Adherents of the Free Church Congregation in Yester, complaining of Refusal to grant Sites for Free Churches in Scotland.—By Mr. Brotherton, from Inhabitants of the Village of Acomb, for the Adoption of Measures for promoting the Due Observance of the Lord's Day.—By Mr. Chute, and Sir Stephen Glynne, from an immense number of places, against the Union of St. Asaph and Bangor, but providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Mr. M'Carthy, from Shipowners of the City of Cork, praying that all Expenses for the Erection and Maintenance of Lighthouses, Beacons, and Floating Buoys on the Coasts of the United Kingdom, should henceforth be defrayed out of the Public Revenue.—By Mr. Deedes, from Chairman, Vice-Chairman, and Members of the Board of Guardians of the Isle of Thanet Union, for Rating Owners of Small Tenements to the Poor Rates in lieu of Occupiers.—By Mr. Beckett, from Artists and other Persons connected with and interested in the Diffusion and Extension of the Fine Arts, in London, in favour of the Art Unions Bill.—By Mr. Farnham, from Castle Donington, for Repeal of Maynooth College Act.—By several hon. Members, from various places, in favour of the Roman Catholic Relief Bill.—By Lord John Russell, from Glasgow, for a Final Adjustment of the Sugar Duties.—By Mr. M'Donnell, and Mr. O'Connell, from various places, against the Protection of Life (Ireland) Bill.—By Sir George Grey, from Passengers travelling between Birmingham and Bristol by Railway, on the 20th Day of May, complaining of Break of Gauge on Railways.

MEASURES OF RELIEF FOR IRELAND.

MR. S. CRAWFORD wished to put a question to the right hon. Gentleman the First Lord of the Treasury, and he trusted the right hon. Gentleman would not think he was too pressing in bringing it forward at this early period of the Session. He wished to know what measures they were to expect for the amelioration of Ireland, and more particularly whether they might expect that any measure would be introduced during the present Session to carry out the recommendation of the Land Commission on the subject of the law of landlord and tenant. The objects to which he would especially refer the right hon. Gentleman as having been suggested by the Commission were—1st, the amendment of the laws of distress; 2nd, the amendment of the laws of ejectment; 3rd, compensation to tenants for improvements; 4th, commutation of lives renewable for ever into perpetuities; and 5th, powers of leasing to be given under certain limitations to tenants for life, and corporations. He should like to hear from the right hon. Gentleman some intimation as to whether measures for the promotion of these objects, or any of them, were to be brought forward in the course of the present Session.

SIR R. PEEL: I think the hon. Gentleman, particularly from the deep interest he has taken in the subject to which he has referred, and from the noble example he has set as a landlord in Ireland, is fully entitled to put these questions. I can assure the hon. Gentleman that this subject has occupied much of the attention of Her Majesty's Government, and he is himself aware what has been our chief occupation since the meeting of Parliament, and also of the disadvantage which for a time was experienced in consequence of a change in

the office of Chief Secretary for Ireland. Unfortunately, my noble Friend who holds that office has been disabled from attending on the House, and paying that attention to his duties which he wished; but, in all likelihood, he will be able to attend in his place in a few days, probably before the Whitsuntide holidays, when he will announce the nature of the measures which the Government intend to bring before the House. In the meantime I may state, that my noble Friend will bring under the consideration of the House three measures based on the recommendations of the Landlord and Tenant Commission. I think it would be improper for me to enter into any detail as to those measures; but I may state their general objects to be—a Bill for making compensation to tenants for improvements made by them—a Bill for amending the law as to ejectments and distresses—and, thirdly, a Bill prescribing a short form of lease, and reducing the stamp duties thereon. Before I move the adjournment for the Whitsuntide holidays, an early day will be named for bringing those measures before the House.

BIRTH OF A PRINCESS.

SIR R. PEEL: The House is probably aware that an event has taken place this day which will, I am sure, fully justify me in making a Motion without any notice whatever. That Motion is, that this House do present an Address of Congratulation to Her Majesty on the addition to Her domestic happiness by the Birth of another Princess. Sir, I well know the deep feelings of loyalty towards the Sovereign which prevail in this House, as they prevail in every other part of the United Kingdom. I well know how those feelings of loyalty are exalted by the high personal esteem, respectful attachment, and admiration for the manner in which Her Majesty discharges every duty, whether of a public nature as Sovereign, or in domestic life. I shall, therefore, without further preface, and in the full confidence that my Motion will meet unanimous acquiescence on the part of this House, move that an Address to the effect I have mentioned be presented by this House to Her Majesty.

LORD J. RUSSELL: In the assurance that every Member of this House will participate in the feelings expressed by the right hon. Gentleman, I shdll simply content myself with seconding the Motion he has now submitted to the House.

Motion carried *nem. con.*

LIBERATION OF MR. W. S. O'BRIEN.

MR. SHAW said, that he had collected on Friday night, from the intimation of the noble Lord the Member for London (Lord J. Russell), as well as from the suggestion of the right hon. Baronet at the head of the Government, that it was the wish of the House that the discharge of Mr. Smith O'Brien should be moved the present evening, before the commencement of the public business. He would, in the first place, assure the hon. and learned Gentleman the Member for the county of Cork (Mr. O'Connell), that, although his notice was the first given, and stood first on the Paper, he would willingly have given way to the hon. and learned Gentleman, and felt no rivalry in the matter; but on looking at the two notices, he conceived that his was worded in a manner more likely to prevail with the House, and that was his only object in claiming the precedence. He would, then, in a very few words, state to the House the grounds on which he moved for the discharge of Mr. Smith O'Brien, the time he had chosen for the purpose, and the form in which he had framed the Motion. In all those respects, he hoped to have the general, indeed he hoped the unanimous, concurrence of the House. The ground of his Motion, then, simply was, that the authority of the House had been vindicated, and Mr. Smith O'Brien sufficiently punished by twenty-five days' imprisonment. The time he (Mr. Shaw) had selected was when the Committee which the House had ordered Mr. O'Brien to attend, had closed its labours; and although, in point of form, the Committee had not, as he (Mr. Shaw) expected they would have done, that evening made their final report, yet his hon. Friend the Chairman of that Committee (Mr. Henley) would be prepared to state in his place that the business of the Committee was really finished; and as to the form of the discharge, he had copied his Motion from the established precedents of the House, neither taking from them, nor adding to them any words with respect to fees to meet the particular case of Mr. Smith O'Brien. He would make one observation, in justice to the feelings of Mr. S. O'Brien, and that was, that he had given his notice without the slightest acquiescence or knowledge on the part of Mr. Smith O'Brien; and further, he believed that it was contrary to the wishes of Mr. Smith O'Brien, that he was then making the Motion for the hon. Member's release. Nevertheless,

he felt it his duty to make it; and he trusted the House would consider that they best consulted their dignity by determining the question upon its own merits, and without reference to the peculiar views or personal feelings of Mr. Smith O'Brien. His (Mr. Shaw's) desire had been to abstain from saying one word that could give rise to discussion, or lead to a difference of opinion. He trusted that he had succeeded in that; and that, as he had ventured to anticipate, the House would unanimously acquiesce in the Motion which he would then propose, namely—

"That William Smith O'Brien, Esquire, in custody of the Sergeant-at-Arms attending this House, be discharged out of custody, paying his fees."

Mr. HENLEY, as Chairman of the Committee on Group XI., had great pleasure in assuring the House that no more business remained to be done than would occupy about two hours to-morrow. What remained was merely of a formal nature; and he had, therefore, great satisfaction in seconding the Motion of the right hon. Member for the University of Dublin. The House would be glad to hear that no great public inconvenience had resulted from the absence of the hon. Member for Limerick from the Committee, however public affairs might have suffered from his absence from the House. The hon. Gentleman seemed wisely to have preferred his own company for twenty-four hours in the day to the company of the Members of the Committee for only four hours in the day. He hoped he had profited by it.

Mr. P. BUTLER wished to say a few words at the request of his hon. Friend the Member for Limerick; and he hoped that they would put no serious impediment in the way of the Motion before the House. He congratulated the right hon. Recorder of Dublin on the manner in which he had come forward to rescue a fellow countryman in distress. He (Mr. P. Butler) as an Irish representative, might be allowed to say that, in his opinion, it was the duty of Irish Members to attend to the business of the Empire generally, and as much to the affairs of England and Scotland as of Ireland. With his hon. Friend, however, a serious question of principle was involved. He was under the impression that the House had acted illegally, unconstitutionally, and without precedent, in committing him. He took exception to the latter part of the Motion which regarded the payment of fees to the Sergeant. He thought that the payment of them might compromise his principle; and without attempting contumaciously to resist, he intended to protest against the demand. He believed that at the present moment his services were important to his country; but the House would recollect that he had been exposed to all the ridicule of a powerful press, and of a still more powerful public. He (Mr. P. Butler) was of opinion, that the House was now tired of the subject; and his hon. Friend had good reason to be tired of his imprisonment. He had written a letter to the Speaker, to which that right hon. Gentleman had returned an answer, politely declining to read it to the House. The present was a very auspicious moment: a young Princess had just been born; and he hoped that his hon. Friend would speedily be delivered also.

Sir ROBERT PEEL thought that the House would act most prudently by confining its consideration to the question whether any further object would be gained by continuing the commitment of the hon. Member for Limerick. He had yielded precedence to his right hon. Friend (Mr. Shaw) solely in the belief that the discussion would be limited to that point. His impression, confirmed by all that had passed, was deep regret that it had been found necessary to subject a Member to restraint, and thus to interfere with the discharge of his duty towards his constituents. All that would influence him would be the consideration whether it was necessary for the maintenance of the authority of the House that the restraint should continue. He felt bound to say that it was not, and should therefore give no opposition to the Motion in the hands of the Speaker. He had been prepared to take this course irrespective of the auspicious event referred to by the hon. Member. He apprehended that the claim for the usual fees would have been made and enforced, whether the Motion had come from his right hon. Friend or from the hon. and learned Member for Cork; and the protest would prevent any personal acquiescence in what seemed opposed to principle in the mind of the hon. Member for Limerick. He rejoiced in the opportunity of permitting him to resume his functions in the House, entertaining a sincere belief that the authority of the House had been sufficiently vindicated, not merely by the punishment inflicted, but by the almost universal feeling among Irish Members that they were entitled to take part in the Legislature for the whole Empire. Not a

few of them had rendered important services by undertaking and discharging duties on Committees.

Motion carried *nem. con.*

MR. W. S. O'BRIEN ordered to be discharged.

PROTECTION OF LIFE (IRELAND) BILL.

LORD JOHN RUSSELL adverted to the fact, that the first Order of the Day was the Second Reading of a Bill called the Protection of Life (Ireland) Bill. It would be remembered that Her Majesty, in Her Speech from the Throne, on 22nd January last, stated the increase of the crime of deliberate assassination in Ireland, and advised that measures should be adopted to put an end to the progress of a crime so dreadful. He need not state that they had now arrived at the 25th of May, and the House had not yet heard any statement from a Minister of the Crown regarding the Bill for the Protection of Life in Ireland. He should have thought that when so serious a measure was proposed by Government, they would have deemed it necessary to inform the House why it was introduced, since it was to the full of as much importance as any vote in the Miscellaneous Estimates, which it seemed were nevertheless to have precedence. Ministers ought either to make some statement of their Bill, or if they had seen reason to change their minds, they ought to inform the House of the fact. It seemed hardly consistent with their duty to the Crown and to the House to leave the matter entirely unnoticed, putting it off, perhaps, to the month of July, when the general massacre of measures would probably commence. It appeared unadvisable for the House to entertain a measure of this severe description without coming to some determination upon it. Having given the fullest consideration to the subject, and having consented to the first reading of the Bill as proposed by Ministers, he (Lord J. Russell) had come to the conclusion that it was his duty to oppose the second reading; but it was absolutely necessary, for the sake of Ireland, and with reference to public expectation there, that Ministers should state what were their intentions.

SIR R. PEEL observed, that in justice to Government the noble Lord ought to bear in mind the circumstances that had hitherto prevented them from naming a day for the second reading. Only on Friday week the Corn Bill had been read a third time, and on Monday last the Customs Duties Bill went through the same stage. It had been understood and agreed to by the House that those measures should have precedence. On Friday last, at the instance of his hon. Friend the Member for Dorsetshire, he had consented to give up a Government day that the decision of the House on the Factory Bill might be given. There had been two preceding debates on Wednesdays on the subject, and it had been strongly urged upon him to assign a Government day for the sake of bringing the discussion to a termination. He had, therefore, relinquished Friday last. This evening Ministers brought forward the Estimates, because from the lapse of time it was necessary to pass them. It was, in fact, impossible further to postpone asking the House to sanction a vote of money in order that the public service might be conducted in its usual course. Consistently with the general wish, and for the convenience of the country, a day had been fixed for the financial statement, and that day was Friday next. He proposed to postpone until Friday the second reading of the Bill to which the noble Lord had referred, and then he would appoint a day when the discussion upon it should be taken.

SPANISH DISCRIMINATING DUTIES.

MR. LABOUCHERE wished to put a question, of which he had not been able to give notice, and which perhaps could not be answered at the moment. If so, he should be content to wait until a future day. It had been stated in the public prints that the Spanish Government had sent out instructions to Cuba to place discriminating duties on English goods and vessels in Cuba and Porto Rico. The information he asked was—whether Government had any reason to believe that such instructions had been sent out, and that steps had been taken to carry them into effect?

SIR R. PEEL had seen the statement in the newspapers, and went to the Foreign Office in consequence to read the last despatches. They certainly did not bear out the statement in the newspapers; but before he gave a positive answer he wished to make a further reference to the despatches, and to-morrow he would be prepared to state the exact fact. The despatches he had seen did not show that any discriminating duties had been imposed adverse to England.

CRIME IN IRELAND.

Mr. O'CONNELL believed he was quite accurate in stating that the amount of crime recently reported from Ireland was considerably diminished, and he wished to call the attention of the right hon. Baronet and of the House to the fact. He attributed it mainly to the attention paid by Government to relieve the wants of the people in various localities, as well as to the amount of private subscriptions in other situations. The peasantry of Ireland were duly sensible of the kindness and sympathy thus evinced, and to this cause he attributed a considerable diminution of crime. The conduct of Government in relieving the wants of the people had tended to diminish crime, and he believed had done more than could have been accomplished by a severe execution of the laws.

Sir R. PEEL was much obliged to the hon. and learned Gentleman for so handsomely doing justice, on the present as on a former occasion, to the efforts of Government. He would not now enter into any argument as to the cause of the decrease of crime in Ireland; the hon. and learned Gentleman attributed it to the attention of Government to the wants of the sufferers, but others might perhaps find a different cause in the promulgation of the fact that the Protection of Life Bill had passed with the almost unanimous consent of the House of Lords.

SUPPLY—CIVIL CONTINGENCIES.

On the Order of the Day being read for the House to go into a Committee of Supply,

Mr. WILLIAMS complained that taking the Miscellaneous Estimates first was a departure from ordinary course of procedure, and a very inconvenient one. The Estimates had only been delivered at his House on Saturday; he had not seen them till this morning, and he had not yet had an opportunity of reading them. He had never known an instance in which the Miscellaneous Estimates were taken before the Army and Navy Estimates. In a case where there were several hundred different items to go through, it was a perfect farce to place them in the hands of Members only a few hours before the discussion.

Mr. CARDWELL said, that the reason for taking the Miscellaneous Estimates first was that, at this advanced season of the year, it was important that the Miscellaneous Estimates should be voted without delay. He had no objection, however, to postpone the consideration of all the Estimates on which there was any increase, difference, or novelty as compared to former years.

Lord J. RUSSELL did not think the Government had treated the House very fairly in this matter. It was usual always to begin with the Navy Estimates; and he remembered that on one occasion an hon. Member opposite objected because the Army Estimates were proposed to be taken before the Navy Estimates; and he induced the Government of the day to alter their course, and take the Navy Estimates first. It was now proposed to postpone not only the Navy Estimates, but the Army Estimates and Ordnance Estimates also, in order to bring forward the Miscellaneous Estimates. He must say that this was taking advantage of the confidence of the House in a way very unusual. The right hon. Gentleman the Secretary at War had, in the course of the Session, proposed several items of the Army and Navy Estimates at one o'clock in the morning, and they had been allowed to pass without discussion. It was certainly not expected, when he obtained those votes of credit, that when the time for regular discussion came, they would be postponed without any previous notice. This was certainly no inducement for the House to allow the Government to abuse their confidence in this way in future.

Sir R. PEEL said, there was no wish whatever on the part of Government to take the House by surprise; and, if it was preferred, the House might take the Civil Contingencies, and then the Ordnance Estimates. The reason why he did not suggest the Army Estimates was, that an hon. Member (Captain Layard) who had two Notices on the Paper with reference to them, was not present.

House in Committee.

Mr. CARDWELL proposed, that a sum not exceeding 20,000*l.* should be granted to Her Majesty for defraying the charges of the Civil Contingencies.

Mr. WILLIAMS said, that he had in former years objected to the sums inserted in the Estimates for the conveyance of colonial bishops from this country to their sees abroad; and he had particularly objected to the sum of 600*l.* for the conveyance of the Bishop of Jerusalem. In the present Estimates he found the name of a new bishop—the Bishop of Tripoli,—whom he had never heard of before, nor did he know to what religious sect he belonged;

but, whether he belonged to the Church of England or not, he equally objected to the sum put down in the Estimates for his conveyance from this country; he thought the people to whom they were sent ought to pay the expense of their conveyance. He also objected to the sum of 350*l.* charged for a pleasure excursion to Sir Stratford Canning, who had one of the highest diplomatic salaries. He thought the sum enormous, especially considering that he enjoyed the use of one of Her Majesty's ships at the same time. There was another item of which he complained, and that was the sum of 3,076*l.* for the expenses of the funeral of her Royal Highness the Princess Sophia. It was understood that the Princess Sophia left behind her considerable property; and he thought the expenses of her funeral ought to have been paid from that source, and not have been thrown upon the public. He also found the sum of 2,151*l.* put down for expenses connected with the visits of foreign princes to this country, which he thought too much. There were also two items to which he objected—the one of 5,441*l.* connected with the Commission of Inquiry into the Tenure of Land in Ireland; and the other, the sum of 10,000*l.* in connexion with the Inquiry for Relieving the Distress in Ireland. He thought it would have been much better if the latter sum had been applied at once for the purchase of food for the people of that country.

MR. CARDWELL said, that the charge for the passages of foreign and colonial bishops arose in this way. It was considered proper that they should be taken out in Her Majesty's ships of war; and it not being considered right that the commanders should make out a bill against each bishop they took out, the moderate charge for their passage was transferred to the public account. As to the expenses incurred in entertaining foreign princes, the charges defrayed by Her Majesty on this head never came before the public; but there were certain travelling expenses necessarily incurred, which came properly under the head of a public charge. With respect to the charge for the Commission of Inquiry into the state of the potato crop in Ireland, the sum mentioned was transferred to the Lord Lieutenant, in order that he should take all necessary steps for averting, if possible, or, at all events, mitigating the effects of the calamity which threatened that country.

MR. HUME thought that the Colonies should be left to regulate their own fiscal duties. They should be given to understand that, if they exceeded the means at their own disposal, the deficiency should not be supplied at the expense of this country. Among the items there was one of which he highly approved—a reward of 10*l.* for saving a person's life; this sum, however, was a miserable pittance. He objected to the fees charged upon conferring dignities, such as 360*l.* for making Sir W. Parker a baronet; and 91*l.* for making another man a bishop. It was in the power of the Government to put an end to those fees, and he called on them to do so. There was a sum of 322*l.* for the attendance of shorthand writers at political meetings in Ireland. This looked too much like a system of espionage. If no evil resulted from language, however strong, Government might have patience—they need not in so expensive a way employ spies. He deprecated everything that tended to lessen public confidence in the Government. He wished to know whether the 10,000*l.* stated as expenses of a recent Commission in Ireland were for inquiry or for relief?

The CHANCELLOR OF THE EXCHEQUER: Both for inquiry and relief. A great portion of that sum was in aid of private subscriptions. As to fees for dignities, the great majority of them were carried to public account; that was only a mode of raising a contribution for the expenses of the establishment. Another portion went to the law officers of the Crown. It was necessary that the commissions of Colonial Governors should be framed under legal advice. He saw no reason to change the course which had hitherto been pursued in that respect.

SIR C. NAPIER inquired whether any progress had been made by the Commissioners for constructing harbours of refuge on the south-east coast?

CAPTAIN CARNEGIE informed the hon. and gallant Member that the Commissioners had made a report, which had been submitted to the First Lord of the Treasury and the Chancellor of the Exchequer; but no steps had yet been taken to carry it into effect.

MR. A. CHAPMAN objected to sinking 3,000,000*l.* in the sea at Dover; in order to make there a harbour of refuge, which would, in his opinion, be wholly useless to merchant ships and vessels of war.

Vote agreed to.

The next Vote was a sum of 121,578*l.* to defray the expense of building, and the lighting and repairing certain Public Departments.

Mr. WILLIAMS objected to the large grants which from time to time had been given for Marlborough House; and he thought, considering the large allowance which the Queen Dowager received from the country, that it would have been unnecessary to lay out anything towards the repairs or embellishment of that establishment. He objected, also, to the cathedrals of Scotland being repaired at the public expense; and he should propose that the Vote be reduced by 5,000*l.* for repairs of the cathedral of Glasgow, and 1,210*l.* for the repairs of the abbey of Dunfermline. He should take the sense of the Committee on the question.

Mr. HUME objected to the charge of 100*l.* for the external repairs of Marlborough House, on the ground that, having been granted to the Queen Dowager absolutely for her life, she ought, according to the rule in such cases, to keep up the building herself, especially as shortly before she came into possession, 40,000*l.* had been expended at the public charge in putting it into repair.

The CHANCELLOR of the EXCHEQUER stated the uniform rule to be, that the external repairs of the Queen Dowager's jointure-house were defrayed by the Crown.

Mr. AGLIONBY said, that the Chancellor of the Exchequer had answered every question but this—was it, or was it not a rule, where a house or a palace was granted to an individual for a limited period, that in that case the external repairs were done by the public; but that, in the case where the grant was for life, the expense was borne by the individual?

The CHANCELLOR of the EXCHEQUER replied, that the point just mooted was entirely beside the question; because what he said was, that in all cases of Queen Dowagers the invariable rule was, not only to give the income, but a palace, or house equivalent to a palace, the external repairs of which were defrayed at the public expense. [Mr. Hume: Why did they not defray the internal repairs?] The object was, to keep the building from falling into a state of dilapidation; and the uniform practice had been, to defray this expense out of the public revenue. The internal repairs stood on an entirely different footing.

Vote agreed to.

On the Question that a sum of 15,558*l.* be granted to Her Majesty, to defray the expense of providing temporary accommodation for the Houses of Parliament, Committee-rooms, &c.,

Mr. WILLIAMS condemned the system of ventilation adopted in the Committee-rooms, where Members sat from day to day, with a large fire on one side, and cold air rushing in from 10,000 holes on the other. It was perfectly impossible for any one with safety to sit there. He had no faith in Dr. Reid's system: it was all quackery. Not a single building had he ventilated where the greatest complaints had not been made. Year after year, they were expending large sums of money in order to prepare the new Houses for their accommodation; he wished to know when it was probable they would be fit for occupation?

Mr. CARDWELL was afraid he could not give the hon. Gentleman any distinct assurance as to the precise time when the New Houses would be ready, but the utmost exertions were being used for the purpose of expediting their completion. The Committee had also been engaged in investigating the advantages of Dr. Reid's system of ventilation.

Mr. PROTHEROE thought they were all deeply indebted to Dr. Reid for his success in ventilating that House. Speaking only for himself, he must say, the air was peculiarly agreeable. He did not say the atmosphere was a pure one; but that could not be wondered at when they remembered that it was fed on one side by the burial-ground of St. Margaret's, and on the other by what was little better than a great sewer—the river Thames.

Vote agreed to.

The next Vote was 72,400*l.* to defray the expense for one year of the works of the New Houses of Parliament.

Mr. HUME, seeing a charge of 2,400*l.* for fresco paintings, wished to know whether any general plan had been adopted for decorating the buildings, and what estimate had been made of the amount to be expended in this branch of art?

Sir R. PEEL believed there were two or three compartments in the House of Lords to be appropriated to fresco paintings. The Victoria Gallery was under the consideration of the Commission; but they wished, before they committed themselves to any general plan, to see the effect in those two or three compartments which had been dedicated to frescos.

MR. HUME wished to know whether the fresco decorations would be confined to the House of Lords?

SIR R. PEEL did not think the House of Commons would afford the same scope for fresco decoration as the House of Lords. There had been a Committee of the Commission for the purpose of selecting subjects from history for fresco paintings; the Committee had made a report; but the Commission had not yet come to a final decision.

MR. HUME would be sorry if the House of Lords should be more ornamented either by fresco paintings or statues than the House of Commons.

SIR R. PEEL could not share in that jealousy. As a Member of the House of Commons he hoped convenience would be consulted rather than ornament. Much must depend on the form of the buildings and the numbers to be accommodated. It must be recollected that the House of Peers was the apartment in which Her Majesty opened Parliament; and the height and whole character of that apartment was more fit for decoration than the House of Commons. The former House of Lords had its walls covered with tapestry; he did not think extravagant ornament would be at all suited to the British House of Commons. Still it should be handsome and magnificent. The object of the Commission was to encourage the fine arts, and they had no wish that any space really available should be thrown away. The hon. Member for Montrose was very jealous of any distinctive ornaments in the House of Peers; would the hon. Gentleman like to have a red robe with ermine on it?

MR. HUME: No; I would rather be as I am.

Vote agreed to.

Several other Votes were agreed to,

The House adjourned at half past Twelve o'clock.

HOUSE OF LORDS,

Tuesday, May 26, 1846.

MINUTES.] *Took the Oaths.* The Bishop of Bath and Wells.

3ª. and passed. Polling Places (Ireland).

PETITIONS PRESENTED. From Whitechurch, and a great number of other places, for Protection to the Agricultural Interest. — From Hincleford, and several other places, against the Corn Importation Bill.—From Ibstock, and other places, in favour of the Corn Laws.—By Earl Fitzwilliam, from Leeds and Forfar, in favour of the Corn Importation Bill.—From Guardians of the Eastry Union, for the Adoption of a Measure making the Landlords of Small Tenements where the Rents are under £6 liable to the Poor Rates.—By the Earl of Galloway, from Galloway and Port Patrick, for the Better Observance of, and to prevent the Running of Railway Trains on, the Sabbath. —By the Earl of Galloway, from Kirkpatrick, praying that a Bill may be passed compensating Proprietors of Lands for the Purchase of Sites for Free Churches (Scotland).—From Master, Wardens, and Commonalty of Watermen, and Lightermen of the River Thames, praying to be Exempted from the Operation of, and to be heard by Counsel against, the Charitable Trusts Bill.

CORN IMPORTATION BILL—ADJOURNED DEBATE.

The EARL of WILTON said, that he could assure their Lordships that it was not his intention to occupy much of their Lordships' time and attention on the present occasion; but as he believed the measure now proposed by the Government would effect a great social revolution in the country, he thought it was only right that he should come forward and state the course which he intended to pursue, and the vote which he intended to give on the present occasion. He had for many years supported those principles which had influenced the councils of Her Majesty's present advisers; and their Lordships must believe that it was with no feelings of ordinary regret that he felt bound, in the honest discharge of his public duty, to oppose the present measure. And if it was with feelings of pain and regret that he adopted that course, how much more poignant must all these feelings be, when he found himself for the first time—and he trusted most sincerely, for the last time—opposed to the noble and illustrious Duke near him—(the Duke of Wellington), by whose counsel and opinions he (the Earl of Wilton) was not ashamed to say he had been actuated during the whole of his political life; and whose renowned career and the history of whose great life and actions he had been enabled to view through the medium of private friendship and esteem. He would not enter into any statistical details, for he felt that it would be impossible to add in that respect anything to the admirable speech made last night by his noble relative (Lord Stanley). He intended to rely on two grounds: first, the operation of the Corn Bill of 1842; and, secondly, the grounds which had induced her Majesty's Ministers to abandon the principles involved in that measure. He was far from entertaining any hostile feelings towards free trade, so far as it was compatible with the institutions and condition of this country. But his firm belief was, that relaxation must have a limit—and he believed that the idea of an unfettered system of free trade could only exist in the mind

of the noble Earl opposite (Earl Grey) in the minds of those who, like Her Majesty's Ministers, were sanguine as to the results of the proposed measure—in the minds of dangerous enthusiasts; those who, with more deep and perilous designs, had been hallooing on Her Majesty's Ministers in their wild career. Now, he must insist that there never was a Bill which so completely fulfilled all the intentions of its originators as the Corn Bill of 1842; for, under the operation of that Bill, they had seen an equalisation of prices; that both manufactures and agriculture had flourished; and that a better feeling had grown up between the antagonist parties in the country. Why, then, quarrel with it? What were the reasons which had induced Her Majesty's Government to depart from the principles of the Bill of 1842? Notwithstanding the disclaimer of his noble Friend (the Earl of Ripon) who moved the Bill, there could not be the slightest doubt that the ground for the proposed change was to be found in the destitution and scarcity which were said to exist in Ireland. They were told, if they had any doubt on this subject to wait until the month of May, and we should have demonstrative evidences of it. The month of May had now arrived, and, he asked, where were the evidences of that destitution and scarcity? and echo answered "where?" Even if the scarcity did exist of which they were told, it still would afford no great, statesman-like ground for making a great change in the whole commercial system of the country. He must also say, that he could not bring himself to believe that prices would be lowered in the same proportion that the prices of wages would be reduced. Now, if that were the case—if the means of purchasing provisions on the part of those who would be principally affected by the measures were to be decreased—he would implore their Lordships to pause before they proceeded further with the Bill. He was unwilling to trespass on their Lordships' time on so trite a subject; but he must be allowed to refer to the manner in which the measure was carried through the other House. It was carried through the House of Commons by a compact entered into between those parties who entertained the most extreme and dangerous opinions: to these were added that portion of the Whig party who had changed their opinions from a fixed duty to no duty at all; and also that section of the Conservative party whose opinions had undergone a change still more startling. He wished to address a few words to those noble Lords who had, like himself, supported the present Government for many years, but who now, not like himself, proposed to continue that support. If they were satisfied this measure was right and just—if they considered that favourable results would follow the passing of this measure—if they considered by passing this measure they were not giving a stimulus to an agitation for lowering the position of the aristocracy, then by all means let them vote for it. But if they considered with him that he was right in the view he had taken, then let them, without fear of clamour from without, and without fear of the imputation of being actuated by selfish motives, vote against the second reading of this Bill, and make use of that legitimate power which the Constitution had invested in them, for the preservation of the monarchy and the institutions of the country. He had now made the few observations which he felt it to be his duty to address to their Lordships on this important occasion, and it now only remained for him to thank the House for the indulgence which had been shown him.

The DUKE of CAMBRIDGE: My Lords, I feel it due to my own character to state to your Lordships the line which I shall feel it my duty to take on this very important question. I believe that I am now the oldest Member of this House. I have been now more than five-and-forty years a Peer, and from the day I first started in public life I never voted with the Opposition; for when I found that I could not conscientiously vote with the Government, I abstained from voting at all. Some years ago the late Lord Grey applied to me to attend here on an important occasion. At that moment I was so much engaged—for I believe the States in Hanover were sitting—that I could not leave that country. I wrote to Lord Grey, saying that I should be of little assistance to him as I was not a speaker; and I gave him other reasons for not attending. Lord Grey approved of the course which I then pursued. And again some years later—after I came over to this country to settle here—I mentioned to a noble Duke the course which I pursued, and I had the satisfaction of finding that it met with his sanction. I have, therefore, two high authorities for thinking I have acted rightly in what I have hitherto done. My Lords, I am now too old to change my opinions. My object

in rising now, is to state that I do not intend to vote on this question. I state to your Lordships plainly and honestly, that I cannot vote with Her Majesty's Government. But, my Lords, my own character is at stake; and if I did not state fairly, and frankly, and honestly, what I feel, I should be supposed to be lukewarm on one of the most important questions that ever came before the country. No one can deplore more than I do, the discussion of this question. I went to the House of Commons, having the highest opinion of the right hon. Baronet at the head of the Government, and I hoped that he would convince me, when he introduced the measure, so that I should be able to accede to it and support it. Now, I must state fairly that I could not approve of the reasons which he gave. I was totally unbiassed at the time, for everybody who knows me knows that I am no politician. All that I wish to do is to act fairly and honestly for the good of the country. With regard to the question itself, I must repeat that I regret its discussion. I wish that it had never been brought forward; but I regret this less on account of the question itself, than of the consequences which it may lead to. Many measures may be good in themselves; but when one turns round and sees the consequences, he will probably regret afterwards that it was ever brought in. I have felt it my duty thus to state my feelings to your Lordships. With regard to the question itself, it has been so ably stated and argued by my noble Friend (Lord Stanley), that I can only say that it would be very wrong and absurd on my part, if I attempted to add anything to the admirable speech made by my noble Friend. I can only repeat that I cannot approve of the measure, and that I shall feel it my duty not to vote at all.

EARL GRANVILLE said, that he felt how presumptuous it was in him to offer himself to their Lordships, when there were so many noble Lords who were desirous of addressing the House. In expressing his sentiments upon the present occasion, he should studiously follow the example which had been given this night and last night of abstinence from all personal imputation. It was not for him to praise or to blame Her Majesty's Government; but he must be allowed to say, as one who for some years had been in favour of unrestricted free trade, that the sacrifices made by the Government in adopting free-trade principles gave some weight to the arguments which he and noble Lords who thought with him had been in the habit of urging. Their Lordships had been told of the weight of authority which existed in favour of a Corn Law; but in matters of commercial legislation he thought that the worst authority to which they could appeal was the wisdom of their ancestors. He considered that with the changes which were constantly occurring, the increase which had taken place in manufactures, wealth, the means of communication, and with the increase of population which was going on, it was idle, in matters of commerce and trade, to go back to the time of Edward the Fourth. He would much rather look and see who were the parties who opposed, and who supported, the present measure. Now, a great deal had been said about the unanimity of the farmers on this subject. He was not so sure that this unanimity existed, and at any rate he thought that it was rather to be looked for in the western parts of the metropolis, than in the rural districts. By some, indeed, it was asserted that converts were constantly made among the farmers to free trade. He owned, however, that he did not think that this signified much, nor did he consider that the opinion of the farmers, as a body, ought to have much weight with an enlightened assembly like that which was to be found in their Lordships' House; for although the farmers were a most useful and highly respectable body of men, yet, from their education and habits of life, it was almost impossible for them, as a body, to come to correct views on the laws which regulated the distribution of national wealth. Let their Lordships look at a higher class in society—the class of country gentlemen. The country gentlemen, as a body, were well educated, and generally well informed; but it was notorious that they not only, as a body, were not political economists, but detested the very name of political economy: although without some knowledge of that science it was impossible to attain a proper acquaintance with the laws which regulate commercial transactions. Their opinions, therefore, on questions of this nature, were not entitled to much consideration. There was another class of persons to whose conduct he wished to direct their Lordships' attention, he meant the clergy of the Established Church. He thought that if the predictions of the opponents of the Bill were verified, and that corn bore a lower price than it had hitherto brought in the market, the clergy would

suffer directly from the operation of the measure; and the compensating effects would not reach them so soon as they would other classes of the community. Feeling this to be the case, he considered that the highest credit was due to the clergy for their abstinence from public discussion on this subject. He found, however, that though this measure was said to be opposed by the farmers and the country gentlemen, it was supported by the manufacturing and the commercial classes; and he could not allow men possessing their intelligence and standing in the country to be called turbulent. These classes were in favour of free trade; and when those who had the direction of public affairs headed those classes, he felt that whether his opinions on the subject of the present measure were right or wrong, he had some authority for holding them. Much had been said about the severe blow to agriculture which would be given by this Bill; but when he saw some of the poorest land in the southern parts of the country ploughed up, he felt that some of the alarm which had been excited must be imaginary. If there were any alarm upon this subject, he believed it to be chiefly of that species of apprehension which arose from the fear that their Lordships might possibly refuse to pass this measure. If they passed it into a law, they would make no change in the Constitution, but only a great fiscal change; setting an example to other countries of the true principles on which commercial legislation should be conducted, and settling an agitation which divided two interests which ought to be inseparably united. He hoped, therefore, that their Lordships would not be actuated by any fear of a charge of inconsistency, but would suffer the Bill to become law.

The MARQUESS of NORMANBY said, that this Bill was not such a settlement of the question as he for one should have preferred to have seen carried into effect. His noble Friend (Lord Stanley) had said, that he was desirous to avoid all personal observations in the remarks which he felt it his duty to make. He (the Marquess of Normanby) was equally desirous of pursuing the same line of conduct; but, agreeing as he did with most of the arguments of his noble and learned Friend (Lord Brougham) in his speech of last night, he had felt inclined to say a few words then, by way of protest, against the eloquent piece of declamation with which his noble and learned Friend concluded his speech. The object of his noble and learned Friend's peroration was, to convey to the minds of their Lordships the impression that the conduct of the Prime Minister entitled him to be considered as a great statesman, not only for the age, but for all time. He (the Marquess of Normanby) might perhaps rest the justice of that assumption upon the reception which that observation met with in their Lordships' House. Enforced as that statement was by all his noble and learned Friend's brilliant powers of declamation, it was received with one solitary cheer from the right hon. Gentleman's zealous Colleague on the Woolsack, which found a faint echo in the voice of one of his (the Marquess of Normanby's) noble Friends who sat near him. That was the reception which such a declaration met with in their Lordships' House. He was rather unwilling to enter into the question of what the motives were which had induced their Lordships to show no concurrence in that statement. The question was, how far the right hon. Gentleman, who had without doubt conducted himself through life with the most perfect honour in private transactions, had applied the same principle in his public conduct towards others. That was not a question for him to enter upon; but as there was no assembly in the world in which the conduct of the right hon. Gentleman could be more fairly weighed, he considered that the expressive silence maintained last night was a faithful commentary upon his conduct, and almost amounted to a sentence of condemnation. Was the greatest Minister of the day, he would ask, the person who for the last thirty years had done more to throw difficulties in the way of settling this question, than any other living man? He would, however, advert now to the question before the House. His own opinions upon the subject of the Corn Law were, perhaps, rather peculiar; and he did not think that the results, either for good or evil, which would follow the adoption of the present measure, would be so important as the conflicting parties expected. While, therefore, he had listened with great attention to the sentiments which had been that night expressed by a noble Earl, he must venture humbly to state his own opinion, that neither the institutions of the country nor the cause of religion would be endangered by the passing of this measure. He had no opinions to retract or to change upon this subject. He had always been in favour of a gradual tendency in our com-

mercial regulations towards free trade. He had approved every relaxation of the Tariff which could tend to promote amicable relations with foreign countries, and lead to a more equal interchange of our mutual productions; and he had never held that any peculiar exemption from the application of those principles should be allowed with respect to corn. This being his opinion at present also, he owned that he felt it to be his duty, in the few words which he should have to address to their Lordships, to state how strongly he felt that the beneficial effects to be expected from the measure had been exaggerated, more particularly with reference to its operation upon the condition of the working classes; and he did so with the view either of mitigating the present excitement, if the Bill should not pass, or that tardy, but in his opinion not less certain disappointment which would result from the working of the measure. He thought that, looking to both sides of the question, the balance would be in favour of the Bill, as it would tend to diminish the misery under which a large portion of the inhabitants of this country unfortunately laboured. He did not allude to that misery which to a greater or less extent was, and ever must be, the lot of those who had to labour; but he referred to that deep degradation and misery, more apparent from its contrast with surrounding wealth and comfort, in which the poor of many districts were plunged, and which, unless they disregarded the safety and credit of the State, ought not to remain unalleviated. His attention had been most painfully directed to this subject when, for a period of two years, he administered the internal affairs of this kingdom; and the result of his experience during that time had satisfied him that any alteration of the existing Corn Laws would not, in itself, tend very materially to mitigate the sufferings of the poor. Adam Smith said, that a full reward of labour was the best proof of the increasing prosperity of a country; that its scanty remuneration proved that a country was stationary; and that poverty of the working classes was a sure indication that a country was retrograding. Now, when these opinions were expressed, the working classes of England were in a condition which enabled them to maintain their children in comfort, and to afford them a satisfactory education; and yet, at that time, a Corn Law was in existence which, when prices were fair, amounted almost to a positive prohibition of the importation of foreign corn. He (the Marquess of Normanby) did not assert that the condition of the labouring classes depended upon the Corn Law; but, as the reward of labour was not so ample now as when Adam Smith expressed the opinions he had quoted, it was necessary to review the changes which had occurred in the intervening period. Now, whatever mighty advantages might hereafter ensue from the wonderful improvements in machinery, there could be no doubt that the progress of those improvements during the period to which he referred, had exercised a serious influence upon the labour market. He was not one of those antediluvians who wished machinery had never been invented; but he thought the Government of this country ought to have carefully watched the effects of a transition state, and that there ought to have been no premature attempt on their part to force a development of the power of machinery. One effect of a great demand for labour in particular districts of the country had been, to induce extensive immigration to them; and the natural consequence had been, that a monopoly price had been established with regard to the dwellings of the people in those districts. It was stated in Mr. Chadwick's Report upon the Sanatory Condition of the People, that while the rent of a cottage in Rutlandshire was only 50*s.* a year, the annual cost of a very inferior apartment in Manchester was 7*l.* 10*s.* It appeared, also, from the Report of the Sanatory Commissioners appointed to inquire into the Health of Towns, that the cost of preventible disease in Manchester was 300,000*l.* a year, and as the population of Manchester amounted to 300,000 souls, this was equivalent to a cost of 1*l.* per head, and indeed more, because whole classes of the population were exempt from that species of disease to which the Commissioners referred. Between Rutlandshire and Manchester, there was a difference, therefore, of 5*l.* in the rent of a dwelling, and 1*l.* per head at the least in the cost of disease. Now their Lordships had heard a great deal about "cheap bread;" but he would ask their Lordships to look at the expense incurred by the poorer classes for another article of first necessity — water. Mr. Hawkesley had stated that the former cost of water to a labouring man in the town of Nottingham was 3*d.* a week when he fetched it himself; and when it was brought to him its expense was 3½*d.* to 4*d.* a week. Under a new system, however, for the supply of

the poorer classes in that town with water, they now obtained seventy-nine gallons for a farthing, while formerly they did not obtain more than three gallons for the same money. Now the tax of an 8*s.* duty on corn to a labouring man would be something like $1\frac{5}{4}d.$ a week, that was if the labouring man paid the whole of the tax; but, as it was stated by Mr. Senior, that only one-sixth of the tax would fall on the consumer, the cost to the labouring man would be about a farthing a week. Now, what use did he make of all this? He did not say they ought not, by passing this measure, to increase the comforts of the labouring man to the extent of a farthing a week, and he thought that this would show their inclination to do more. He wished, however, to point out what had been the conduct of the Government in this respect. They had had these reports before them three or four years, and they had the opportunity of acting upon them without creating any division of parties, or incurring reproach; but they had neglected to do so. He would now turn for one moment to the statement cited by his noble Friend from Mr. Greg. Mr. Greg gave the country a very melancholy account of the prospects of the manufactures of the country, and declared that in foreign countries there was an increasing power of underselling our manufactures. He (the Marquess of Normanby) had taken great pains to inform himself on this subject in the course of the last autumn, and he found that, to a certain extent, Mr. Greg's observation was well-founded; but his (the Marquess of Normanby's) foreign commercial friends gave a very different reason for the fact to that assigned by Mr. Greg. They did not say, "We find that we can undersell you;" but they said, "We find that we can sell as cheap, by taking more pains with our manufactures, and making articles which please the eye more." He (the Marquess of Normanby) stated this in a spirit of kindness to these Gentleman. It was high time, he thought, that these Gentlemen should apply some part of the ingenuity which they had devoted to teaching the agriculturists how to improve their land, towards the improvement of their own manufactures. There was another observation which it occurred to him to make. A hope had been expressed that the passing of this measure would lead to a better education of the working people of England. He (the Marquess of Normandy) was known to entertain a very strong opinion upon a question which had been lately agitated in the Legislature; and he thought the avowal of his noble Friend was most valuable, as proceeding from one who had hitherto opposed that reduction in the hours of labour which could alone afford the working classes an opportunity of intellectual and physical improvement. The factory operatives throughout the country suffered most severely from the maintenance of long hours of labour; and it was truly stated in a recent Parliamentary Return, that while the average duration of human life in this country had generally increased, in consequence of the improvements in medical science, the average duration of life in the factory districts had fearfully diminished. The deterioration of human health in those districts had been so great, that, whereas ten or fifteen years ago the average value of human life was fifty years, it was now only forty-five. He must say that he thought their Lordships had a right to complain, when they found themselves unexpectedly forced to come to a decision upon this question in a manner which they had no right to anticipate. He complained of the conduct of the Government, because they had very much aggravated the difficulty of a peaceable and quiet settlement of this question. They had roused that defensive principle against a supposed attempt to overreach and deceive, which was one of the most powerful stimulants of human action. He considered that much higher questions were at stake here than a mere commercial principle. He thought that in all constitutional Governments public character was a sort of common stock, and that where it was wantonly disregarded, every one who was interested in the prosperity of the country and the maintenance of its institutions, suffered a positive loss. They had heard much about buying in the cheapest market and selling in the dearest; and those who inscribed that motto upon their banners might discover some merit in a cheap Minister, who watched the turns of the political market, and turned himself accordingly. He did hope, however, that there still existed among the great body of the people of this country some regard for public character and consistency; and that a promise made by a public man, or a pledge upon which he obtained power, would still be considered one which ought to be religiously and scrupulously observed. He must say, for his own part, that he would very much

prefer a fixed duty to the proposition now under consideration. This was a description of Bill with which their Lordships very rarely interfered. It was contrary to the spirit of the Constitution for their Lordships to impose taxes; and the custom had been, if their Lordships considered that a measure of this kind was so objectionable that it ought not to pass into a law, to propose its rejection on the second reading. That would be an intelligible course, and it would be equivalent to a rejection of the Bill. Any noble Lord who felt inclined to vote for an alteration of the present Bill in Committee, had better vote against the second reading, because he might be assured that any Amendment in the Bill would be followed by its rejection in the other House. He had a great anxiety to maintain the legitimate influence of their Lordships' House; and he should be sorry to see them exposed to the undeserved reproach, that, in taking so unusual a course as that of interfering with a Money Bill, they were influenced by a regard for their own private interests. Did the noble Lord opposite (Lord Stanley) believe that the present Ministerial majority of ninety-eight in the other House would be diminished in the event of an appeal to the country? Those who thought so saw their way much more clearly than he did; and he did not believe the Government could be carried on in the other House except by one or other of the two great parties who were pledged to the maintenance of this Bill. He did not agree with those who spoke of this Bill as "irrevocable." If it produced all the evils that were anticipated—if it threw land out of cultivation and disturbed the labour market, their Lordships would have no difficulty whatever in retracing their steps. He believed that this measure would be for good, but it would be purchased at a suicidal price by its authors in the sacrifice of their public character. Their Lordships, however, could betray no constituents by voting for it, and there could be no responsibility upon them if they took the course he recommended them to take, and passed this Bill. On the whole, viewing it as a measure from which benefits might arise, and seeing great evils in that House interfering for its rejection, it was his intention to give his vote for the second reading.

The EARL of CARDIGAN apologized to the House for occupying their attention at a time when so many noble Lords were anxious to address their Lordships. But having now had the honour to hold a seat in this and the other House of Parliament for considerably more than a quarter of a century, during the whole of which time he had given a steady and undeviating support to the Members of the present Government and to those of their predecessors in office who held the same opinions, he felt anxious, in a few words, to explain to their Lordships and to Her Majesty's Government why he would not support the Government on the present occasion, and the grounds on which he considered it his duty to vote for the Amendment which had been moved by the noble Duke on the cross-benches. If, during the long course of years which he had held a seat in the Legislature of the country, he had not always given a consistent vote, at any rate he had given a steady, consistent, and faithful support to the measures of Her Majesty's Government. Undoubtedly, in the year 1829, when the great measure of Catholic emancipation was brought forward, he had recorded an inconsistent vote; but he did so from the high opinion and the profound respect he entertained for the noble Duke who was then at the head of the Government. But how could he possibly imagine that the carrying of that measure into a law would be but the prelude to concede every other important measure, so that the end would be that the Government would in truth have no fixed or definite political opinion of its own; but that its whole career would consist in borrowing the principles or carrying out the measures of others? With regard to the measure now under consideration, it was not for him to enter into the merits and the details of this important question in the presence of their Lordships. It would be useless for him to do so. Suffice it for him to ask the question—what had arisen, what had occurred, to justify Her Majesty's Government in calling upon them to repeal the laws in respect to the importation of foreign corn? It was unfortunately true that, to a certain extent, distress did exist during the winter months in the sister kingdom; and though he believed that these statements had been much exaggerated, yet, be that as it might, Her Majesty's Government had taken a prudent course in applying temporary relief to the distress of that country. But he would ask their Lordships, was there any man living who conscientiously believed that a temporary calamity was a sufficient ground

for Her Majesty's Government calling upon them to repeal the protection existing upon the agricultural interests in the United Kingdom, and to repeal the laws which had so long existed? The right hon. Baronet had encouraged by his conduct and his speeches the cry which had been raised at the last general election, when the representatives of the people offered themselves to their constituents on the cry of protection to agriculture, as opposed to the cry of cheap bread, which had been raised at least by a portion of the late Government. What was the success of that appeal to the country? Was it not most triumphant? Was there not an enormous, a preponderating majority returned to the House of Commons in favour of protection? The representatives of the people in the House of Commons had recorded their opinion in favour of protection to agriculture since the year 1841, by large majorities, no less than four or five different times. Their Lordships also had taken every opportunity to record similar votes. But they were now called upon to stultify all their former proceedings, and to reverse all their former votes. They had placed themselves under leaders, on whose talents, and judgment, and supposed rectitude, they had hitherto reposed every confidence. He did not know what might be their Lordships' opinion upon this subject; but, for himself, he must say, that when the leaders of a Government would induce and lead on a party for five, ten, twenty, or twenty-five years by every argument which the eloquence of the English language would supply, they had no right to turn round afterwards and call upon their followers to reverse their proceedings. He did not pretend to have any stronger or finer feelings than other people—nay, likely less; but he could not refrain from saying, that he thought they had been placed in an unfortunate predicament—either to disunite themselves from their party, which, were it not for the conduct of their leaders they should be sincerely attached to, or to reverse their former votes and decisions, and place themselves in a position which, in his humble judgment, would be derogatory to their position as legislators, or even as gentlemen. Their Lordships would shortly be called on to record their votes on this question. He would not presume to advise them; but he would ask this question—were they going to reverse their former decisions and opinions? And he would ask this further question—what would be the opinion of the respectable middle classes of this country if they did so?—what would be the opinion of the yeomanry of this country?—what would be the opinion of the farmers of this country, a respectable race, who loved honesty and plain dealing, and hated duplicity and sudden change? If their Lordships would consent to yield up this question at all, let them yield it up to the fairly demonstrated opinion of the people of this country, after that opinion had been tested by the choice of their representatives in a new election—yield up to the demand of the great body of the people; but not to a vacillating and inconsistent Minister. He must apologize to their Lordships for having detained them so long. He would conclude by saying that he had long supported the Government of Her Majesty, both in this and in the other House of Parliament; but thinking the measure proposed would bring confusion and ruin on the country, he must give it his decided opposition.

The Earl of WINCHILSEA said, he had a strong and conscientious feeling on this important question, and felt that he would not be doing his duty as a Member of their Lordships' House if he gave a silent vote. He could with truth say, that he would give all that he possessed if he could satisfy his own feelings by simply recording his vote against this measure. The consideration of the question deeply affected the happiness of the people of this country—and whether he regarded it as the downfal of a great political party, with which he had been been connected upwards of thirty years, or whether he regarded it in the still greater point of view, as being the destruction of all confidence in public men—he felt that he could not give a silent vote. The maxim ought to be engraved in golden letters—for it was a divine truth—that all public respect, all confidence in public men, should arise from the regard which they maintained for principle, for honesty, and for truth. The history of nations had shown, and, indeed, it seemed to be decreed by the Divine Governor of mankind, that when once those whom he had blessed with means, who ought to be the most educated and the most enlightened—the higher orders of the country—were found wanting in their duty, such a nation when cast in the balance would be found wanting, and the sentence, "You shall be removed from among the kingdoms of the earth," fulfilled. The question was not so much

would they remove protection from agriculture, as would their Lordships countenance or allow the Government of this great country to act in so degrading a manner as to give a premium to those who brought forward one of the most revolutionary schemes that had ever been introduced. What was the case in 1829? The principles which he advocated then as well as now were supported by a large party, and were the strong bond of union between the Government and their supporters. That measure too was carried in violation of plighted pledges—of professions and of principles—in direct opposition to the pledges upon which the Members of the other House had been returned. That question—and he said it with shame and with sorrow—after being rejected by a majority of 45 in this House, was six months after carried by a majority of 105. What followed? A reform in Parliament, by which the legislative functions of that House were placed in abeyance. The noble Earl, whose character he had long admired for honesty and for consistency (the late Earl Grey), whose talents had been rarely equalled in that House, but who was, alas! no longer among them, came down and said he was empowered by the Crown to make an unlimited number of Peers unless they allowed the Reform Bill to pass. What was the consequence? They no longer dared to resist: a few, it was true, resisted to the last, but the measure was passed. But leaving that period to come to the question before them, he would ask, had not this Parliament been returned to support the principles of protection? Several divisions had been taken respecting the question of the Corn Laws, and the result had been, the maintenance of that principle. But the leader of the other House turned suddenly round, and because he got a few personal followers—some 105 out of 350, the number of the Conservative party—he threw himself into the arms, not of that highminded and honourable and constitutional party, who lent him their support, but into the very arms of the Anti-Corn-Law League faction, embraced their views, and supported their policy — he threw himself upon another class of supporters, too, who, he had no hesitation in saying, had abandoned the principles and belied the professions upon which they were returned. He hoped their Lordships would have a due regard to the Constitution of this country, and to their own order —to their own existence and privileges—for, depend upon it, the House of Lords would be powerless indeed unless they acted in a manner to secure the affection, the esteem, the respect of the enlightened, the highminded people of this country. Their Lordships ought to take care not to tamper too lightly with the principles upon which the very Constitution of this country itself might be said to rest; and they ought not, at all events, to sanction a measure which might be attended with such disastrous results, until the people had a full and a fair opportunity of recording their free, unfettered opinions upon the change. Would they at once accede to the Anti-Corn-Law League, whose unconstitutional proceedings were manifest—a body which would level in the dust every institution that was sacred in the eyes of Englishmen? Would the House of Lords again desert their principles, as in 1832, and leave the people in the power of the Anti-Corn-Law League? He would say, that there was not a man in their Lordships' House who was a greater friend to cheap bread than he was; but he was not for destroying British agriculture—he would have corn at the lowest price at which the English farmer could produce it, but he would not ruin him to gratify the wishes of a section of manufacturers—he would not destroy British agriculture, and thus become entirely dependent upon the foreigner —a supply which might either from the ill-will of the Governments of those countries, or from circumstances over which they had no control, be found to be a most precarious and dangerous thing to rely on; for the two great interests of the manufacturer and the agriculturist could not be placed in the same position. The former might increase his produce as he pleased; but, for the latter, however he might expend his capital, the seedtime and harvest time were not his own—after all, the return for his capital came from the Giver and the Dispenser of every blessing man enjoyed. Now, if they took the returns of the quantity of corn grown in this country, they would find that from the superabundant years there was sufficient on the average for the consumption of the people. Being his own steward over three properties in three different counties, living amongst his own tenantry, and being in constant communication with them as he had been for thirty years, he knew something of this question; and he could state it as a fact, that in the year 1835, when wheat was sold at 34*s*.

and 35*s.* a quarter, the farmers gave the wheat to the pigs and to the horses to eat: hundreds of thousands of quarters had been expended in this way which had never been taken into account at all; but if there had been any providence on the part of the Government, to have treasured up that superabundant quantity—a system he had always advocated—there would have been sufficient at other times for the consumption of the people. He was no advocate for high prices for agricultural produce, nor did they much benefit the farmer; for when they occurred it was generally between the months of April and September, when the farmers had no grain on hands—when, in short, the market was supplied by speculators, who, by a fallacious system of keeping up the averages, contrived to introduce foreign corn at the lowest possible rate of duty, which they poured into the markets at the very time when the home supply would be available by the harvest. The poorer farmers were, in order to pay their rent and taxes, obliged to sell in a falling market, generally about Michaelmas. He maintained, in opposition to those free-trade theorists, that the wages of labour was, to a great extent, regulated by the price of corn. He had seen repeated instances of it. But some said that the prices of agricultural produce would not, after all, be so much lowered—that Lincoln Heath and such places, which had been reclaimed at a great expense, which was farmed still with more cost than richer soils, would not be thrown out of cultivation. Well, then, he answered such statements by replying, if the price of agricultural produce would not be much lowered, why unsettle the whole condition of the country? Why check those improvements? Why disturb men's minds? It had been admitted, that since 1842, the farmers and landlords had spent more capital on land, than for the ten years preceding. And why was this? Because they thought this question had been finally adjusted—completely settled in 1842. And if bread would not be much cheaper than it was at present, why should they deceive those who supported the measure on the ground solely that it would give cheap bread? There could be no doubt corn would be cheaper; and the effect would be that not only the inferior but the richer soils would be thrown out of cultivation. The richer soils would be burdened with poor rates, which they would be unable to bear; and the British capitalist would fly to foreign countries and invest his money in land, as he had already invested them in the construction of foreign railroads. It was asked, where was the corn to come from? There need be no fear in that respect. Why, in America alone more corn might be produced than all Europe would require. In a letter he had received from a gentleman who was now living there it was stated, that the quantity raised last year in the United States was not less than 105,000,000 of quarters. The land then of this country must go out of cultivation, and what would become of those persons who were now employed upon it? But he would not trespass further on their time; and he earnestly implored their Lordships, without any consideration to private feelings or private affections, to discharge their duty conscientiously, and to reject this measure. He would say that some noble Lords were inclined in 1846 to take the same course which they took in 1829; but he implored them not to do so; for if they gave a vote contrary to their conscientious opinions, they would forfeit not only the respect and confidence of the country, but, what was of more consequence, their own. Several noble Lords had expressed to him the deep regret which they would carry to their graves that, upon a memorable occasion, they had been induced to do violence to their own feelings and support the existing Government of the day; and their Lordships might depend upon it that if they forfeited again the respect and confidence of the people of England, as they did in 1829, from that moment the independence of their Lordships' House would cease. It might exist as a House of Lords, but it would be dependent upon the House of Commons.

The EARL of CLARENDON: I can assure your Lordships that I shall trespass very briefly upon your time, for I have the satisfaction of not finding myself in the category of those whom the noble Lord (Lord Stanley) has so solemnly warned against their inconsistencies, or upon whose consciences he expects their votes to weigh so heavily. I have no new opinions to avow, nor old ones to retract, having rarely missed an opportunity, since I had the honour of a seat in this House, of stating what I conscientiously thought were the mischievous effects of protection in any shape, and of expressing my hope and belief that the time was rapidly approaching when the Corn Laws must be abolished; still, however, as I trust that

this is the last time your Lordships will be called upon to discuss the question, I cannot avoid expressing the unfeigned satisfaction with which I, in common with all those who desire to carry out the principles of free trade, must view a measure which will for ever, and I wish I could add at once, extinguish the whole protective system, and which is introduced with all the weight and authority that a Conservative Government can impart to it. It little matters now by what causes the Government may have been influenced, whether they be the result of observation and experience during the last three years—whether they be the sound arguments of their opponents, or the diseased potatoes of Ireland—all doubtless had their part in bringing about that decision which we learn from my noble Friend (Lord Stanley) was unanimous in December last, with the important exception of my noble Friend himself; and no one more cordially regrets than I do that his doubts upon which he took eight-and-forty hours to deliberate were not so resolved as still to give Her Majesty and the country the advantage of his services and great talents. I rejoiced, however, that such a measure as this was brought forward by the Government, and I rejoiced almost as much at the wisdom and justice of the avowals by which its introduction was accompanied, and its defence has been conducted throughout the long and weary ordeal it has had to undergo; but I have never looked upon this as a triumph to any party either in Parliament or in the country, or the question as one of party at all, but rather as one of facts and experience; for of all subjects the Corn Law is the one with respect to which opinions during the last thirty years have unavoidably been undergoing the most frequent modification as knowledge was acquired, as science advanced, and as the numbers and wants of the community increased. Why, the different Corn Laws themselves are a proof of this; and there is not a man in the country, who has seriously reflected upon this important subject, can affirm that during thirty years his views have remained the same; for where the elements upon which judgment is formed are themselves variable, opinions must be subject to modification; and can the protectionist party say that their minds have escaped this process, and still remain uninfluenced by circumstances? Will they when they take upon themselves the responsibilities of office, as they now do the responsibilities of opposition—an event which may speedily occur—will they insist upon maintaining the present law at all hazards, or are they not even now prepared to admit of some change in it? Would they not now gladly accept and hail as a measure of salvation, that very duty of 8*s.*, which five years ago they scornfully rejected and denounced as a revolutionary plot to ruin them? Are we not even threatened with some such proof of their change of opinion when this Bill goes into Committee?—some Amendment which will throw overboard their whole principle, and which will demand not protection for agriculture but protection for the Exchequer? I repeat, then, this is no political question, but one of facts and experience; and I sincerely regret, therefore, the public time lost, and the public injury inflicted, in discussing not the merits of this Bill, but in demonstrating that it was a party question, though, in fact, all the virulent abuse that has been expended upon Sir Robert Peel, and all the opposition that has been raised against the Minister, even more than against the measure, merely proved that he was influenced by higher considerations than those of party; and that if he did forfeit the favourable opinion and support of his political Friends, he sacrificed them to what was of far higher importance—the public good: he can have had no other conceivable motive, except a sense of public duty, for doing what he has done. With famine advancing at rapid strides in Ireland —(*Ironical cheering*)—noble Lords may cry "hear, hear!" but they must give me leave to tell them that if they had been sitting on the Ministerial benches last October, and had received from the Lord Lieutenant and other official quarters the reports that reached the Government, they would not have dared to disregard them; nor would they, any more than Sir Robert Peel, have refrained from taking measures for relieving the Irish people. It was his bounden duty to protect, as far as human means could do so, that country from starvation and its attendant evils—disease and turbulence; and he might in November last have opened the ports by Order in Council —for my own part I heartily wish he had—indeed, during the progress of the debate he was told by one of the protectionist leaders that he would have been fully justified in so doing; and he was formally invited to open the Irish ports by others, who thereby admitted that the existing law is inadequate for any sudden emer-

gency, and inefficient when tested by the pressure of circumstances. Now, this is another proof of change of opinion, for if this party had stedfastly adhered to their doctrine, that the law always secures an abundant supply at reasonable prices, they should have insisted upon more stringent protection for the relief of Ireland, instead of demanding the temporary admission of corn free of all duty. I shall not waste a moment in observing upon the absurdity and the impossibility of opening the Irish ports, when there was a duty of 17*s.* upon corn in the English ports and the trade perfectly free between the two countries; but if the ports of the United Kingdom had been opened in November last, is there any human being who thinks that after a suspension of the Corn Laws for six or eight months, it would have been politic or practicable to restore them? My noble Friend complained that Sir Robert Peel would give him no guarantee that they should be reimposed—he would have had much greater cause for complaint if he (Sir Robert Peel) had given a pledge which he knew he could not have redeemed. There is no power in the country that upon questions of food—questions that may really be called vital ones—can dare to disregard public opinion, or to precipitate the conflict that may any day occur: and this Bill is, in my humble judgment, the only means now open to us of averting such a struggle between different classes —the only kind of civil war that our manners and state of civilization now admits of, but not the less formidable for that—with all the rancour and animosity it would leave behind, and all the consequences it would entail upon those who eventually would have to yield, and who would repent when too late of not having been wise in time. The noble Duke on the cross benches declares that he and his party have been completely taken by surprise by this measure; but if they have chosen to be deaf and blind to the intentions of Sir Robert Peel, the country has not been so—the country has well understood what he was about, and in which direction he was steering for the last four years. Previously to that time, however, is a very different question, and for my own part I have never been able to explain how statesmen of acknowledged experience and foresight —statesmen who must, or who ought to have, understood the wants and the wishes of the country, and the manner in which alone they could safely be dealt with—political leaders whose speedy advent to power and the responsibility of Government was secure—how they could have joined in maligning the motives and misrepresenting the measures of the late Government, in advocating the fallacies which they knew it would soon be their duty to combat, and in decrying the policy of free trade, which they must have foreseen they should shortly have to promote, has, I repeat, always appeared inexplicable to my mind upon any hypothesis of common sense or common honesty. Be that as it may, however, it is fortunate for the country that circumstances since that time have been precisely reversed, and that upon all questions affecting our great commercial interests we have had a Government possessing the power to do good, and an opposition without the will to thwart them. During these four last years Sir Robert Peel has never ceased to speak in language intelligible to those who did not wilfully deceive themselves. Such persons alone can have believed that the broad principles of commercial policy laid down by him on every occasion were inapplicable to the Corn Laws, and that when he threw wide open the gates of free trade he did so only for the admission of colonial asses, and drugs, and furniture woods, and a few hats and boots, and resolutely intended to close them against the most important of all commodities—the food of our rapidly increasing and always under-fed population. But notwithstanding the abundant notice of his intentions given by Sir Robert Peel —a notice, moreover, which has been well understood even by those who pretend ignorance, for suspicion and denunciation of him for his speeches, his Tariff, his Canadian Corn, and his political economy have really formed the staple topics at agricultural meetings for the last three years. Notwithstanding the important statements of Sir James Graham, whose official position united with the most extraordinary industry make him more than any other man master of the statistics of this country—notwithstanding that he proved year after year, by incontrovertible facts, that cheapness and plenty were the real foundation of our prosperity, that coincident with them were to be found greater contentment, diminution of crime, abatement of commotions, improved health, and increased commerce, and that high prices of the necessaries of life were always disastrous to the country; that the poor were tempted to crime, and that the rates

of mortality increased—notwithstanding all this the agriculturists have affected to stand aghast with surprise, and have loudly raised the cry of protection to native industry—not, as formerly, protection to agriculture; that would be rather too stale and too exclusive for the present times and the present state of the public mind—and there again is another proof of change of opinion: a more comprehensive cry was required, and protection to native industry, protection to all the industrial classes of the country has been substituted; but native industry in this general sense does not want you, it repudiates alike your new-born sympathy and your worn-out legislation. The great staple manufacturers of the country—men, some of whom give employment from 1,000 to 2,000 workmen, and pay from 1,000*l.* to 2,000*l.* a week in wages—men who, give me leave to say, are as much or even more immediately interested than your Lordships in the tranquillity of the country and the prosperity of all classes in it; they want no protection, neither do the manufacturers of cloth and linen, although with glove-makers, and bootmakers, and hatters, and glass manufacturers, they have each in their turn thought that the withdrawal of protection would be their ruin, but now find how infinitely more they prosper without it; and they, moreover, have had the manliness and the honesty to avow it; in fact, there is not one single instance in the commercial history of this country where consumer or producer has been injured by a relaxation of the prohibitory system. Well, then, as native industry stands in no need of protection, the patriotism and indignation which have been raised in its behalf must return to the source from which they sprung, to agriculture; and I quite agree with the noble Duke on the cross benches that the interests rightly understood of all persons engaged in that important branch of industry are identical. I quite agree in the affectionate assurances given to tenant farmers and day labourers at those convivial meetings which have multiplied so prodigiously since the repeal of the Corn Laws was seriously agitated, that the landlords, and tenant farmers, and labourers, were all in one boat; that they must pull together, and swim together, or sink together; that there could be no separation of interests; I quite admit it: but if these interests are embodied in, or identified with, a system of protection, I utterly deny it. I defy any one to show that the labourers have gained by that system, or are in any way interested in its maintenance. The noble Duke has drawn a lively picture of the thatch under which they live, and the good air in which they work; but not a word has he said of their wages, of the 6*s.* or 7*s.* a week upon which a man and his family are said to support themselves in some counties; consider that my Lords, consider the quantity and the quality of food by which with them life is sustained; consider their moral and physical condition, their hopeless life of toil, their impossibility of saving—hardly of existing; consider the evidence of the numerous medical men from all parts of the country examined two years ago before the Committee on medical relief administered to the poor; their answers without exception were, that large portions of the labouring classes were miserably under-fed, and that that was the reason why so many of them could not perform a proper day's work, nor recover from sickness when they fell ill. I will defy any one, then, to show that the labourer can sink lower in the social scale than he now is under the protective system; and he has, therefore, no interest in upholding it. Next come the tenant farmers—and I will admit that some of them who have neither capital, nor education, nor experience, men who take 200 or 300 acres of land as they would a public house, but who have no more business to be farmers than they have to be jewellers—I admit that such men may require artificial means to save them from the consequences of their own incapacity; and that they, perhaps, will be unable to bear up against competition. I am aware that in saying this I expose myself to being classed with those whom my noble Friend accuses of cruelty and heartlessness; but his arguments, if carried to their legitimate extent and practically acted upon, would check every attempt at progress, and always make improvement wait upon ignorance: they are just as valid against home competition as against foreign; they would have been quite as applicable in favour of spade husbandry against the plough, or against the spinning-jenny in favour of the distaff. But to the good farmer, to the man who has the necessary capital, and education, and intelligence, who does not obstinately adhere to the system and the implements of his forefathers, who receives every new improvement as a boon, who watches the discoveries of science and their practical application in order to turn them to his

own use, and has confidence that he is secure of reaping the profits of his own investment and skill, to such men competition will, in agriculture as in every other business of life, prove but a healthy stimulus. Supposing, however, that the worst fears of the worst alarmists were at first to be verified—that we were inundated, as it is called, with all this foreign corn which is to pour in upon us, Heaven only knows whence or how, though to judge from the language of some we might expect it to roll in upon the waves of the ocean, and be delivered gratis at every man's door; for it now would seem sufficient to read or hear of any great plain in the heart of Russia, or of the United States, in order at once to jump to the conclusion that twenty or thirty bushels an acre of the finest wheat will be immediately grown there, and sent here at 25*s.* or 30*s.* a quarter, without the smallest reference being necessary to want of capital and skill, to inveterate habits of bad husbandry, to cost of transport or vicinity to places of shipment; when really one should think that with Ireland close to our doors, governed by our laws, exposed to our example, far less taxed than ourselves, commanding, as she ought to do, our capital, and possessing every advantage for becoming the granary of this country and rendering us independent of foreign supplies, but where much of the land is absolutely lying waste, where all of it is but half cultivated, and from whence, with the exception of last year, we have annually derived a less and less supply of wheat;—with such a picture as my noble Friend has drawn of agriculture in Ireland, and with such a practical example under our eyes of the difficulty of changing the habits of a nation under all the circumstances most favourable instead of most adverse to such a change, one should really think that we might spare ourselves this bugbear of inundation. But supposing it to occur, and that all at once millions of human beings were to be cursed with an abundant supply of human food, well, all that in this impossible supposition could happen to the tenant farmer would be that he could not pay the same rent, that he must have some reduction until the exportation of grain from abroad had raised its price to the level of that produced at home, or until he found the means of successfully meeting this foreign competition; and that, in fact, is what it is all reducible to, to an hypothetical, and, as I am convinced, groundless apprehension of reduced rents; but in saying this I neither mean to impute selfish motives to any one, nor to doubt the conscientious convictions of those who think that any material reduction in the value of land would be hurtful to all classes of our countrymen; but, on the other hand, I have my own convictions, founded upon no brief or careless consideration of the whole subject, that this is solely a landlords' question, and that it is to their alarms we owe all this fierce opposition to the measure, all these charges of treachery and these lamentations over native industry, not a syllable of which, be it remembered, was heard here when the duties on silks, on cloth, on linens, on gloves, or hats, or boots, or furniture, were reduced—when the exportation of machinery was permitted, or any of those various changes affecting productive industry, and involving foreign competition, which for the last twenty years it has been the policy of this country to adopt. The British lion was not roused, and the British sun did not set for ever upon any of these occasions; it is only when corn, or cattle, or wool, or hops, or apples, are meddled with, that we hear of treachery and dishonour, and men deserting their colours, and who if they had been in India lately would all have run away; and it is only when the things we grow, not the things we make, are touched, that we arrive at the true Parliamentary definition of native industry. But, I say, that all this arises from a hypothetical and groundless fear, because we know that in consequence of the improvements in the science and practice of agriculture, and the stimulus given to production during the last thirty years, the price of corn has fallen 50 per cent, while the rental of the country has increased 16 or 17 per cent; and that the price of wheat cannot, therefore, be taken as any test of the prosperity of the land, or the rent of the landowner; and that it would be just as true to affirm that because a piece of cotton which at the close of the war was worth 25*s.* now sells for 5*s.* the manufacturers of cotton have suffered, whereas the reverse is notoriously the fact. These fears are groundless however, although some of your Lordships will doubtless at first be considerable losers; my noble Friend, for instance, who I am sure conscientiously believes everything he asserts, and who I am equally sure will endeavour to mitigate the ruin he has so confidently predicted to his tenants, by lowering his

rents some 50 or 60 per cent directly that this Bill becomes law; yet I am convinced it will be a gratuitous, though I admit a necessary, sacrifice on his part, and that competition for his farms will soon force him into the enviable position of recognising his error, and increasing his income. I say again the alarm is groundless, because it gives no sign of existence; no stimulus has been unapplied, no effort has been wanting to raise a panic, whether emanating from Parliamentary speeches, or protectionist landlords, or newspapers, or from agricultural societies, or from that great central focus of alarm—No. 17, New Bond Street; but they have all fallen still-born, for I cannot look upon that provincial assembly which was summoned to meet last week at Willis's Rooms as any proof of panic, when I bear in mind that during the four months that the measure of the Government has been before the country, farmers have made no preparation for the oncoming calamity by turning off their labourers, or lowering their wages. Tenants, in spite of all warnings, will hold on their farms or renew their leases at the same or sometimes at higher rents since the full extent of their approaching misfortunes was explained to them; and land, notwithstanding so much of it is about to be thrown out of cultivation as to become barren waste, will unaccountably sell at its accustomed price. I again repeat that these apprehensions are groundless, because the greatest alarmist is not prepared to act upon his assertions, or to prove his own belief in them by selling his estate at a depreciated value; and of this I am sure, that if any one of your Lordships will this evening publicly announce that he is prepared to accept four or two years' purchase for his estate less than its marketable value eight months ago, his difficulty will be, not in finding a purchaser, but in deciding among the host of competitors for his property, by whom within the next few days he will be assailed. One of two things must be admitted, either these fears are groundless, or they have a reasonable foundation. If the former—if there be no real cause for alarm—if the free admission of corn into England be not likely to produce effects materially different from those which for a series of years have been observed in the Channel Islands, where the corn trade being perfectly free and the people able to take the most favourable moments for importing it, and in quantities not capable of influencing the German markets, the average price of wheat from 1820 to 1840 inclusive has been 51*s.* 9*d.* in Guernsey, and in Jersey from 40*s.* to 50*s.* per quarter. If it be not really believed that we are so destitute of capital, and skill, and enterprise, that in everything we must be beaten by everybody—if it can be doubted that the agriculturists of England have more capital and greater skill than any others, a more fertile soil and as good a climate. [Lord Stanhope: No!] The noble Lord says "No;" but I should like him to tell me what country possesses so many agricultural advantages. Can he compare those of Germany to ours? can he deny that our land produces more than any other, that our farmers have better breeds of cattle, better roads, better markets, and cheaper labour for the work done? and of this last point there can be no doubt; for although the numerous English labourers who have for some time past been employed abroad in the hard work of constructing railways receive twice as much wages as the foreign labourers, yet the capitalists who employ them consider this abundantly compensated by the more than double labour they perform. Well, then, if all this be true, neither rents, nor agricultural profits, nor the value of land will suffer; and the opposition that has been raised against a measure by which a more regular supply of food will be secured to the people is both unjust and mischievous; or on the other hand, the apprehensions are well founded and the price of corn will greatly fall—to what price however it is not easy to say; where the calculations of loss are so vague and are so little founded upon facts or experience, it is difficult to fix upon any particular point in the descending scale of prices upon which alarmists would agree; but perhaps 10*s.* a quarter would not be an exaggerated interpretation of that total ruin which by some is so confidently predicted; and I observed that that amount of loss was the basis of my noble Friend's calculations—in other words, that our wheat must fall 10*s.* in order to be on a level with the foreign wheat that enters into competition with it. Well, but what is that but saying that corn can be bought elsewhere cheaper by 10*s.* a quarter than our own, and that of that advantage the community is deprived by the existing law? and taking the consumption at 20,000,000 of quarters annually, the agriculturists would thereby impose a tax of 10,000,000*l.* sterling upon the people—double the amount of the in-

come tax—not one farthing of which goes into the Exchequer, or alleviates other burdens, and not one farthing of which goes into the pockets of the landlords; if it did, there would be some reason in the system, and no small patriotism and self-sacrifice in the abandonment of it; but this enormous tax would simply be paid for the increased cost of production, and be as absolutely wasted as if it were thrown into the sea. I cannot conceive that there should be a question about the uncompensated injury that this would produce, and I will endeavour in a few words to illustrate what I have now been saying. I will suppose that two vessels are lying side by side in the port of London. The one from Dantzic with corn on board at 30*s.* a quarter, the other from Hull with wheat of the same quality at 40*s.* There can be little doubt to which of these ships the labouring man, or indeed the wealthy man, would go for his supply. He goes to the Dantzic vessel, but finds it guarded by tidewaiters who order him to pass on to the other, where he pays 2*l.* for the eight bushels of corn, which from the first vessel he might have obtained for 30*s.*; and not all the ingenuity of my noble Friend will render that man grateful for the protection thus vouchsafed to him, nor make him believe that it secures to him and to his family as much as they want to eat at the most reasonable price; and do you suppose that the manufacturer will thank you for your protection to native industry, which makes the labourer pay 25 per cent dearer for the food that he must have, instead of buying with it the clothing and the comforts that he must then manage to do without? Will not the manufacturer consider that the Legislature has thus deprived him of a customer; and will not these two men agree that as both are injured by the law, and that as people could not be so foolish as to make laws which did good to no one, that all the advantage must be for the producer of the corn, and that into his pocket had gone this additional 10*s.*, this 25 per cent of the poor man's wages, which to him would have given comforts, and to the manufacturer custom? Yet this supposition would be entirely erroneous, the producer of the corn would not have touched a farthing of it, he gains no more than the producer of any other commodity, for the rent of land assuredly never exceeds the profits derivable from any other business; and yet agriculture has had far greater advantages, or what were supposed to be such, than any other productive industry, but always with worse results. The system has been created by the landlords: the laws have been passed by themselves, for themselves, just when, and how they pleased; and yet no branch of business has, all things considered, made less progress; none has been so often in distress, none has so often, or more piteously solicited and obtained legislative relief; and yet it is proposed to reject the measure now before you, and to persevere in a system which not only the principal leaders of party, but the principal possessors of land in this country look upon as obsolete, unnecessary, and hurtful. A system which the most ardent or the most reckless protectionist would not venture to guarantee for three years, which he knows the first deficient harvest must sweep away when further resistance would become too dangerous, but when concession extorted by compulsion would lose all its grace and the best portion of its usefulness. It is for such a system as this, that the landed aristocracy of England would peril the proud position they now hold; a position which no other class in any country of the world can boast of, and in lieu of that homage, which is really the fittest word for the feelings with which their wealth, and rank, and social position, and as a body their general usefulness are regarded, they would expose themselves to a continued social conflict, and to that tremendous power of association which the money, the intelligence, and the active enmity of the industrious and middle classes would infallibly bring to bear against them. Before I sit down, I desire, with your Lordships' permission to say a few words upon what is a novel and much maligned, but to my mind, an important and beneficial feature in the system of commercial policy which we are about to adopt, viz., that of meeting, and I will confidently add, of defeating, hostile tariffs by a friendly one—that of admitting freely the productions of countries which exclude our own. I have on former occasions expressed my earnest hope that diplomacy would no longer be resorted to for the purpose of liberalizing the commercial systems of other countries; and I have expressed my belief, founded upon some little knowledge and experience, that all future attempts to effect this by negotiation or treaty, would, as they have hitherto done, end in failure; for all such negotiations imply reciprocity and an interchange of equivalents, which

it is found impossible to adjust with satisfaction to the various interests on both sides concerned; and the consequence almost invariably is that if a treaty be concluded one of the contracting parties considers itself overreached, and is anxious to evade the stipulations or abridge the term of its engagement, as in the case of the Brazils for instance; or else the negotiations after being long protracted are finally broken off, as in the cases of France, Spain, Portugal, and other countries within the last twenty years, leaving the non-contracting parties less amicably disposed towards each other than when they commenced, and more firmly convinced of the impossibility of reconciling their reciprocal, or as they suppose adverse interests, and thus they continue to wage that war of custom-houses, which is hurtful alike to the producers and consumers of every country. The only wise and practical course is for each nation to pursue that which it believes to be best for itself, and to disregard the policy adopted by others; and surely, the fact of our being a heavily taxed people is no reason why we should pay dearer than is necessary for the commodities we want, and which are produced abroad. The income tax, and the assessed taxes, and the poor rates, are all so many reasons for not superadding to them the Custom-house tax, except for purposes of revenue. The illiberality of other countries is no reason why we should not buy in the cheapest market, although we may not at first be able to sell in the dearest; it is no reason for our inflicting upon ourselves a double penalty. We have but to look to our own interests, and at the same time that we advance them, we shall give an example which the rest of the world must follow; for as other countries unfortunately will not make us a present of their commodities which we want, they must take in exchange the commodities we have to give; but then we are usually told that this may be very true, that they will send us their productions, but they will take nothing but bullion in return. I shall, however, not waste the time of this House in demonstrating that there is no distinction between the precious metals and any other commodity, and that to obtain gold and silver, we must have exported to the Brazils or to Mexico some productions of our own of which those countries stood in need; but I totally deny that any such result would permanently ensue. It may arise under extraordinary circumstances, as in 1839 and 1840, when, owing to our deficient harvests and our sliding-scale, we had to import nearly 3,000,000 quarters of corn at a cost of about 7,000,000*l.* sterling suddenly, when no preparation could be made for payment by the ordinary means of trade, and when, consequently, this corn had to be paid for in bullion, the only medium available for the emergency. At that time the bullion in the bank of England sunk from 9,300,000*l.* in the month of January 1839, to 2,500,000*l.* in the month of October—7,000,000*l.* sterling were withdrawn in the space of nine months; and by the assistance of the bank of France alone, we were preserved from the misfortune and the disgrace of a national bankruptcy. But what has been the consequence since? Why, upon its being ascertained that we should annually require from the Continent about 1,500,000 quarters of corn, due preparations in the ordinary channels of commerce have been made for meeting this importation; and I beg the special attention of your Lordships to the fact, that from the time of the establishment of the Zollverein in 1833, our exportations to Germany after a partial decline remained stationary at rather more than 4,500,000 annually down to the years 1838 and 1839, during which period, little or no corn was imported into this country; but that since those years our importation of corn having been considerable and regular, our exports to Germany have risen from 4,800,000*l.* in 1837, to 6,700,000*l.* in 1844, and no derangement in our monetary system has taken place. As a further illustration, I will advert to the case of France, where shortly after the Revolution of 1830, a Mixed Commission, of which I had the honour of being a Member, was appointed to sit at Paris with the object of placing the commercial relations of the two countries upon a more satisfactory footing; and although the able and enlightened men named by the French Government, one of whom was M. Duchatel, the present Minister of the Interior, were quite as desirous as their English colleagues to conclude a treaty, it was found impossible to reconcile adverse interests or to effect an exchange of equivalents, and the negotiations were suspended. At that time the value of our exports to France did not reach 500,000*l.*—an amount really disgraceful, when we consider the contiguity of the two countries and the reciprocal need of each other in which they stand—since then the French tariff has continued in

unabated hostility; but it has been our policy to reduce the duties upon a great variety of French commodities, and what has been the result? Why, that the value of our exports to France has increased from 476,000*l.* in 1833, to 2,600,000*l.* in 1845. This export trade, moreover, is not confined to one or two articles, but includes all the different manufactured productions of this country. Facts such as these cannot fail to have their due weight with your Lordships; but I will further illustrate the subject by referring to Spain and Portugal, where the tariffs are absolutely prohibitory, and what do we see there? Why, that British goods, cheap and abundant, are to be found in every part of the Peninsula; for it must be remembered that it is one thing to enact a prohibitive system, and another and a very different one to enforce it; so true is it that the interests of men are always more powerful than the laws made to restrain them. The smuggler is always at hand to correct the errors of the legislator; and he will always provide that the exchange of commodities, or in other words trade, shall flow in a natural, though it may be in an unlawful channel. I do not defend the system, I am only dealing with facts; and I say that the contraband trade invariably exists where prohibitory duties prevail, not only in Spain and Portugal, but in Italy, from Belgium and Switzerland into France, along the whole extent of the Russian frontier; the Zollverein cannot guard against it, it is found in activity upon the boundary line of Canada and the United States, and throughout the continent of South America. Napoleon with all his power, and all the means at his command, could not prevent it—his attempts to do so were one of the main causes of his downfall. We ourselves, in our circumscribed limits, with our well-organized coast guard and revenue forces, we could not under the prohibitory system prevent the unlimited introduction of silk goods, we cannot now prevent a greater quantity of tobacco being smuggled into the country than passes through the Custom-house, and no human power can prevent it but by rendering the smuggler's trade an unprofitable one. We need not then have any the slightest apprehension as to the mode in which the productions of other countries will be paid for by us; and we may safely rely that if trade exists at all it will be beneficial to all those engaged in it. I know that the recent speeches of M. Guizot and M. Canin Gridaine have been triumphantly referred to as proofs that we have nothing to expect from France in return for our liberality; but I view these speeches in no such light. I think they were most proper and prudent speeches, particularly on the eve of a general election. I am sure we heard much worse here before our own last general election; but no Minister of a representative Government can ever be expected to originate measures which disturb powerful and protected interests until he is supported by public opinion, until the question in fact, as with ourselves, has been settled out of doors, and is ripe for legislation; and it is only when the French people become convinced, without any reference to foreign countries, that it is not for their interest to pay an enormous price for bad iron, and to submit in every branch of industry to use inferior implements, which increase the cost of production; it is only when they become convinced it is not for their interest to pay extravagantly for the wood, which for the sole benefit of the owners of forests they are compelled to consume, when from Belgium or England they might obtain a cheap and abundant supply of coal; it is only when they become fully alive to these and other uncompensated tributes which they pay for their protective system, that they will know how to deal with it as they have before done with other obnoxious privileges. Public opinion, however, in France, is daily more and more directed to these subjects; and I can assure my noble Friends on the cross benches that a free-trade league with a Duke at the head of it, is now established at Paris. The Neapolitan Government has already made great reductions in the duties on cottons, woollen goods, and salt fish. The example has been followed in the Papal States. The Sardinian Government is liberalizing its commercial system. Prussia, within the last year, has made a decided stand against any further extension of the prohibitory system of the Zollverein. In Norway, the duties upon woven goods have been lowered in consequence of our reduction of the timber duties; and as to the United States, if my noble Friend had read the whole of the paper from which he quoted, your Lordships would have discovered what my noble Friend certainly did not lead you to expect, viz., that in that most able document, the Government of the United States submits to Congress the expediency of entirely abandoning the system of protection, and of levying no duties but for purposes of revenue. I will

not, however, weary your Lordships by any further attempts to show, that although we may for some time to come expect in other countries a continuance of those errors which in our own are gradually yielding to knowledge and experience, yet that the universal tendency must be towards a freer interchange of the respective productions of different countries, and towards a recognition of the principle that low duties are always most profitable to the revenue. In fact the whole system by which human intercourse has hitherto been so mischievously obstructed is fast crumbling away, and is about to find its level among a host of other exploded fallacies and antiquated superstitions. As for ourselves, impelled as we are by the necessity of penetrating into new markets, and of providing an increased demand for our increasing powers of production, we are about to adopt a policy which other countries will and must follow; not as a concession to us but for their own interests—a policy by which we shall extend the intercourse of nations, and carry into execution that law of God by which men are destined to be of mutual assistance to each other, but by which above all we shall give, and we shall receive guarantees for placing upon a solid foundation that greatest and most inestimable blessing—peace. It is for these reasons, I think, that Her Majesty's Government act most wisely in proposing to regulate our foreign commerce without reference to the policy of other countries; and with respect to our domestic concerns, as I am convinced that no time more favourable than the present—a period of comparative prosperity—can present itself for effecting a change of system with less disturbance and dislocation of existing interests, I earnestly hope that this House may in its wisdom see fit to assent to a measure which will remove the chief source of discord from among us, and which in my conscience I believe will be advantageous to all classes of the community, because itis founded on a wise and discriminating regard for the varying circumstances and complicated interests of this great country.

The Earl of CARNARVON said, that he could not but regret to see Her Majesty's Ministers introduce such a measure as that before them; for he thought there had never been a time in the history of the country when such a measure had been less required; and he was persuaded that, instead of promoting that peace and harmony which the noble Lord who had just sat down contemplated it would, it was on the contrary, calculated to inflict great and extensive injury on the interests of the country—his opinion being, that, whatever might be said as to the soundness of free trade in the abstract, it was by no means applicable to the varied and complicated interests of England. It had been observed, that our exports with France had very considerably increased of late, which increase was attributed to commercial relaxations there; but might it not be rather attributed to the untiring and unceasing energy of two great countries, each rapidly advancing in every department of industry, and going on from greatness to greatness, and neither of which had yet, he firmly believed, reached its highest point of prosperity. With greater reason, then, he would say, that under the auspices of protection, England had attained to that immense height of prosperity which it enjoyed over every other nation—and altogether deny that the increase of the exports to France originated in any commercial principle which might have been adopted by France. Reference had been made to the traffic which was carried on by smugglers. It could not be questioned but there were many articles of commerce in which smugglers could traffic with impunity; but permit him to say, that for the smuggler to carry on an illicit traffic in corn was totally out of the question. He thought there was a peculiar inapplicability in the noble Lord referring to a traffic in corn by smugglers. Allusion had been made by his noble Friend to the improved feeling which it was thought had been growing up among foreign States—that there was what was called a more liberal commercial policy prevailing now than heretofore; but he (the Earl of Carnarvon) had neither heard nor read of the springing up of that so-called liberal commercial policy; and even among those statesmen who bore a liberal reputation, such as M. Guizot or M. Thiers, he was not aware that there were any indications among them of an approximation to the principles of free trade. Perhaps some of the very minor States might have adopted the policy to which the noble Lord (the Earl of Clarendon) adverted; but as to Naples, Sardinia, and Prussia, he did not make out his case, particularly as to Prussia, which, instead of relaxing, rather was looking out for further protection. While he (the Earl of Carnarvon) was never an advocate for high prohibitory duties, and while he thought there was a great error committed in 1815

in carrying prohibition to such a height, yet he could not forget that in a country where the state of things was so complex, principles, which might be sound enough in the abstract, could not be applied with due consideration for peculiar circumstances and individual interests. Being impressed with that view, he would advise their Lordships to be cautious and circumspect in legislating upon subjects which, if prematurely adopted, might cause such a reaction as to do more harm than good. In the course of the present debate they had heard the subject of famine brought forward. He thought that the famine question had been altogether abandoned. Of famine there was a great deal in speeches, but not much in the markets. They were told that the famine was to come in May, and then it was put off till the autumn, and now he thought he might venture to say that it had been adjourned *sine die.* The noble Lord who had last night introduced the Bill, had created in his mind no little astonishment by leaving them to suppose he had been a free trader all his life. With every respect for his noble Friend, he had never considered him in that light; but, judging from the language he had heard from him, had always looked upon him as a true and faithful friend to the cause of protection. His noble Friend had argued that if the ports had been once opened, they never again could have been shut. He remembered that the ports were opened in 1826, and he had never heard that any difficulty whatever was found in closing them when the necessity for which they were opened had gone by; and, judging by the quiescent state of the manufacturing towns, he had no doubt but that when the apprehension of a famine in Ireland had been dissipated, the law would easily have been restored. In 1841, when his noble Friends opposite proposed the substitution of a fixed duty in place of the sliding-scale, they were compelled to admit that in periods of unusual scarcity or famine they would be obliged to remit that duty. Surely, they meant honestly by the farmer; they did not mean to give to the agricultural interest a mere shadow of protection, and deny them the substance; they never said they would not reimpose the duty whenever the scarcity or famine had departed. Why could not his noble Friends who now formed Her Majesty's Government have acted in the same way? His noble Friend who last addressed their Lordships said, that, with the existence of a famine in Ireland, it would have been impossible for any one to come down to that House and propose to re-enact the existing duties. That was a most dangerous argument to be used in that House. What, that a Minister could not come down to Parliament, and ask for measures of relief for his starving countrymen, without, at the same time, making a proposition for a permanent change in the Corn Laws? He should like to see the man who would have ventured to have stood up and resisted the proposition of the Minister of the Crown, because such a condition was not attached to the measure for relieving the distress of a large portion of his fellow countrymen. If such a man there was, he could not be branded with sufficient scorn; and if the Parliament had refused to grant the relief, or if they had even faltered over such a proposition, there was not a manly heart in England that would not have sympathized with the popular cry for the Repeal of the Union. His noble Friend said that the manufacturers repudiated the support of the agricultural party—that they refused protection. One of them themselves, Mr. Greg, admitted that the hosiery of Saxony was preferred in our own markets, because of its cheapness, over that of our midland counties, even although the latter enjoyed a protection of 20 per cent. That statement was borne out by a petition signed by 25,000 persons engaged in that trade, presented to that House in 1843, imploring the Legislature to prohibit the importation of foreign hosiery into this kingdom at so low a duty. Then with regard to the manufactures carried on in Sheffield: it was well known that knives and scissors, which were pretended to have been made there, were introduced from Belgium, and sold at a price which would ruin the English producer. He was strongly inclined to believe and willing to admit that the manufacturers would thrive after the passing of that measure; but he was also convinced that it would be only for a time, because they would lose their best customers when they lost the home market. Noble Lords who supported the present policy of Her Majesty's Government seemed to consider the home trade as being insignificant when compared with the foreign trade; but that was not the opinion of Adam Smith; and even in America, at the present day, there existed a strong feeling amongst the parties engaged in agriculture against the admission of cheap foreign manufactured goods into their country. Noble Lords must

know that in even the smallest villages there was to be found a shop filled with the goods of Manchester; they also knew how those villages were studded over the country. The quantity of goods which they sold must, in the aggregate, be very great; and proved the value of the home market, which, most undoubtedly, would be placed in much danger by the measure under their Lordships' consideration. His noble Friend had also alluded to the state of the labour market. Undoubtedly the lot of the labouring man was a chequered one, and would to God that legislation could improve it! but he was much afraid that the measure now proposed by Her Majesty's Government would reduce the condition of the labourer to the level of the cultivator of the soil in foreign countries. If wages could be maintained under the altered law, no question then the measure would be a boon to the labourer; but the rate of wages must be regulated by the demand and the supply in the labour market; and although the examples of Poland and of America proved that there was no inseparable connexion between the price of food and the price of labour, still he feared that in England, where the labour market was already overstocked—where the population was increasing at the rate of 1,000 a day, if much land were thrown out of cultivation, the labour market would become more overstocked, and then he feared the wages must, and would, be regulated by the price of provisions, and be reduced to the lowest level at which human existence could be maintained. It might be said that he was wrong in supposing that land would be thrown out of cultivation. His noble Friend had alluded, too slightly he thought, to the case of the small farmers—men who, he said, ought not to be farmers at all—who had no business to be farmers. They were a large body of men. The measure before the House would consign to hopeless ruin a large proportion of the tenantry of England. Their Lordships with their thousands would feel the blow perhaps but slightly, and without the loss of one substantial comfort; but the same blow would strike that unfortunate class to the ground. The wealthy farmer might ride the gale out in safety; but it would wholly swamp him who was obliged to sell his produce the moment he obtained it. It had been said that the Currency Bill of 1819 had been as disastrous as a field of battle, and had caused as much desolation as had ever been caused by the worst horrors of war. In his opinion the desolation and the amount of suffering which would be caused by the measure under their Lordships' consideration would be infinitely greater amongst the men of small capital than had been that caused by the Bill of 1819. Unquestionably, it was most desirable that a better mode of cultivation should be introduced wherever practicable; but in order that that should be so capital was wanted; and his noble Friends were not going the right way to increase the capital of the farmer. Under favourable circumstances, the cultivator, by a free outlay of capital and skill, might grow four or even five quarters of wheat where he now grew only three; but if that measure passed, the fall in prices would be so great that it was probable he might not obtain more for his four quarters than he now did for his three. He had heard with much regret those remarks of his noble Friend which seemed to impute idleness and want of energy to the English farmer—the fact being, that there was no part of the world in which a better system of husbandry prevailed—no country in which so much was produced, in comparison to the space cultivated; as was proved by eminent statistical writers, both in France and America. A most eminent statistical writer declared, that while the average produce of wheat in France was fourteen bushels to the acre, and while it was fifteen bushels in America, the produce in England was immeasurably superior to either country. The same writer also stated, that while the cattle, sheep, and pigs of England had doubled since 1710, in the whole of France, matters as regarded live stock remained almost in *statu quo*, although the amount of population and the territorial extent greatly exceeded that of England. His noble Friend who moved the second reading of the Bill, said he did not lay much stress upon the famine in Ireland—he did not support the Bill on that ground alone. The noble Duke on the cross bench had happily observed, that very different opinions had been given in the other House, for the introduction of the measure. He thought that was one point on which the country had a right to complain. The opinions which had been advanced in its favour had not always been consistent; they had varied with every varying circumstance, and made to shift as party tactics required. On such a question the views of the Government

should be intelligible, and distinctly laid down—not even the shadow of a doubt ought to rest upon them. He had no doubt that the right hon. Gentleman who filled the office of First Minister of the Crown had consulted what he conscientiously believed to be the best interests of the country; he acquitted him of acting from any sordid or ungenerous motive, but he must be forgiven for saying that he did not think that he and those who had acted with him had done that which public men should do. He did not think that the position taken up in reference to the country was an ingenuous one, or their manner of treating a great and honourable party had been fair. In public as in private life, any departure from the straightforward path of honesty was sure to be punished—retribution was sure to follow in the loss of all moral influence to the guilty party. However much he deprecated the measure, he would have felt it more deeply painful to have opposed it, had it been supported by the noble Duke behind him. Nothing could erase from his memory the events of the last autumn. No after agreements, no after explanations, could ever lessen or impair the effects of the resignation of the noble Duke and his other noble Friends who were now Ministers of the Crown. He well knew that in the noble Duke's (the Duke of Wellington) long career of public life, there rested not a speck on the stainless mirror of his honour. He could not forget the practical sagacity with which the noble Duke had long led his party; neither could he cease to recollect the debt of deep gratitude which the people of this country owed to the noble Duke; he could not forget that which was an old story, that but for the noble Duke we might have neither Corn Laws or country to save. It was formerly said that if the Corn Laws were repealed 2,000,000 of acres of the best land in England would be thrown out of cultivation, and 6,000,000 of people would be thrown out of employment, and reduced to beggary and despair. Now for his own part he must confess be had little faith in political prophecies of any kind, whether made by himself or by others; but he knew that in a great measure tenants were guided by the impressions of their landlords, and that those feelings had a material effect upon the march of improvement. There was one fact he wished to mention here. He could assure their Lordships, he had heard of an individual who, before this measure was propounded, intended to invest no less than 150,000*l.* in agricultural improvements; and though he was a person who expressed no great fear with regard to the result of the project, yet he declined investing his money until he saw what would be the effect of it. That was an important fact, and he was very much afraid that the example of this person would be followed by many others in consequence of the new legislative policy of Her Majesty's Government. Men would now pause before they invested their capital in the improvement of the soil, and their hesitation would be fully justified under such circumstances; their proceedings would be marked by temperate caution and prudence. They would not enter into doubtful speculations — they would wait until they saw the effect of this great practical experiment; and it must be productive of baneful results. His noble and learned Friend (Lord Brougham) who spoke last night, referred to the question of the price of food, and expressed his hope and belief that the price of bread under the new system would be moderate. But he (the Earl of Carnarvon) very much disliked the proposed measure, because he thought it would have quite as much tendency to make the price extraordinarily high—high to a ruinous extent, as to effect a great reduction in it. If this Bill passed we must necessarily depend in a great measure for a supply of corn from the northern parts of Europe, where land was little burdened with local taxation, and labour was wonderfully cheap. The effect of that competition would be to throw the lighter and indifferent descriptions of land out of cultivation, and consequently deprive a large portion of the labouring population of the means of employment. What, then, would become of the English people if we had a deficient harvest, and that we required a large supply of grain from foreign States? We should be perfectly helpless. The same cause which affected the harvests in this country, generally affected in the same way the harvests in foreign countries; and when the Governments of those foreign States did not actually forbid the exportation of grain, they would, for self-preservation as well as for the purpose of increasing their revenue, place a very large export duty upon it, which would have nearly the same effect. Under such a system he thought the people of England would not be very great gainers by a free trade in

agriculture. It was said that the United States would remedy this difficulty; but, generally speaking, their harvests were affected as much as our own. The scarcity and plenty at different times, which he believed must be the result of the proposed system, would produce such violent fluctuations in prices as to inflict great injury on both the producers and consumers. When, according to Mr. Hudson, corn could be brought from Hamburgh and sold here at 25*s.* a quarter, it was a period of our greatest peril; and the result he (the Earl of Carnarvon) believed would be the same if the measure before the House came into operation. If a regular corn trade was established, he could not doubt that foreign countries would give every facility, compatible, of course, with their own interests, to maintain it; and that even British capital would rush into those countries, offering, as they then would, so fair and ample a field for speculation. It had been well laid down that when an article could be progressively increased to any extent, that its price would not rise in proportion to the increased demand, but that, in the long run, the price would fall. A steady increase in the demand was frequently met by a more than equivalent amount of production, and a reduction of price was the consequence. The tea trade had been very appositely referred to in support of this view. There had been a prodigiously increasing demand for tea from China within the last few years, and yet there had been a progressive fall in price. Why should not the same results attend a demand for foreign corn, and an increased importation of foreign food into this country? Considering the whole circumstances of the case, he believed they were treading on difficult if not on dangerous ground—that they were embarking on a course of hazardous legislation. Agriculture in this country had made gigantic strides—that was admitted by the noble Lord who introduced the Bill; but he said, at the same time, that the greater was the occasion for the adoption of such a measure. But he (the Earl of Carnarvon) asked, when the country was in a state of prosperity—when millions of capital were invested in agriculture on the faith of their own protective laws—was it wise, was it fair, on the part of the Government and the Legislature towards the agricultural interests, to deprive them of the only chance of working out that system of improvement? for it was a consummation most devoutly to be wished which should enable England, from her own resources, to produce sufficient food for the sustenance of the people. A noble Lord in the other House had collected some valuable statistical information in reference to the agricultural improvements which had taken place in this country. Sir H. Parnell, when Chairman of the Corn Committee in 1833, stated that the agricultural produce of the kingdom had increased one-fourth during the ten previous years; Mr. Wakefield, in 1801, computed the average produce of the wheat lands of England at seventeen bushels an acre; Mr. M'Culloch, in 1840, estimated the average produce per acre at twenty-six bushels; and, in 1844, Mr. M'Gregor estimated it at twenty-eight bushels. These facts showed that the protective system was favourable to agricultural improvement. They were told that importation would never be prevented, and that even in the last war large quantities of corn were imported from France. But he believed the year 1810 was a very peculiar one; there was an unusually abundant harvest in France, and a deficient one in England; he understood, too, that certain parties obtained influence through some of Napoleon's marshals, and an exportation was allowed that, under ordinary circumstances, would not have been permitted. But if the argument founded on the advantage of being independent of other countries for our supply of food was tenable in 1840, he did not see that anything had occurred to make it untenable at the present time. He did not believe the principle was asserted merely to draw a convenient roar from the British lion of the day. Perhaps he might be allowed to say a word or two on the circumstances connected with the proposal of this measure by Her Majesty's Government. There was in this country a strong and ardent feeling in favour of plain straightforward honesty of conduct. The eyes of the public, too, were narrowly fixed on the conduct of public men; and, whether it was prejudice or not, the people to a great extent connected character with consistency. He thanked God it was so; for it was not for the interest of either public or private life that sudden departure from long recorded opinions should pass without involving some kind of penalty. Therefore he could not look upon the policy of the Government as a mere question of defective party management—he looked upon it as wrong and unprincipled—he would not say intentionally so; but if ever there was a House

of Commons elected upon a given principle —if ever there was a Government bound by the circumstances of their formation to the principle of protection, it was the Government of his noble Friends. The political history of their lives was a continued pledge ; they were pledged by their language in office, by their language out of office ; they were bound by acts stronger than any verbal pledges. That the constituencies were unintentionally misled he was quite willing to believe ; but still they were misled, and he did not think that the Government of the country, when they had discovered their mistake, had any right to take advantage of their own wrong, and to give effect to their own error. The agricultural constituencies of this country would never have wielded the electoral franchise in favour of his noble Friends, if they had had the remotest notion that they intended so soon to depart from their former professions. The strong man was lulled to sleep by his confidence in their intentions ; and now that he had yielded his weapons to them, they hoped to vanquish him unarmed without a struggle. Under the banner of protection the Government of the country ventured to the battle-field against what was then termed the maddening cry of cheap bread; they secured the followers of the party, and then drove the noble Lords on the other side of the House out of office. They were ejected from office for the crime of proposing an insufficient protection of an 8*s.* duty; and now the First Minister of the Crown came down and proposed a virtual duty of 4*s.* Under no conceivable circumstances should the Government of the country abrogate their own enactments. They should do it with the utmost degree of caution and care, for the sake of the country which should place confidence in public men. Without intending to say anything in the slightest degree offensive to his noble Friends, who had been placed in a most embarrassing position, still he thought that, all the circumstances considered, this was too strong a departure from those fair and recognised principles which ought to actuate public men towards each other and towards their country. He would ask, if the principle was questionable, was the policy good as far as it had been developed ? Was the utter alienation of such a great element in the constitution of things in this country as the great landed interest a wise and statesman-like policy ? Alas, to what a state of moral weakness had this unhappy policy reduced one of the most powerful Governments that had ever existed in this country. Like Samson they had been shorn of that which was the implement of their strength, by a single stroke, in the plenitude of their power, as yet untouched by the faintest germ of decay. There never was, he believed, a Government possessed of more real power for useful purposes—there never was a Government which from the peculiar circumstances of its position was enabled to do more of great and useful acts—there never was a Government from whom the people of this country would have accepted more of real and solid reform. Would to God that the better counsels of his noble Friend the noble Duke, and of his noble Friend the late Secretary of the Colonies, had in November last prevailed, over what he must term the infatuated councils of that day; but it was otherwise decreed, and all the confidence had been destroyed, and all the strength which was given for better and for higher purposes, had been cast away. Many who were lately their stanchest friends were now in open opposition to the Government; others, who actually sympathized with their policy in another place, yet were unable, from a sense of duty, to support them, and were compelled to retire from Parliament; others, protesting in their speeches against their policy, and yet voting for it with a heavy and misgiving heart. Could a policy be statesmanlike which produced such results as these ? Could a policy which placed every human being connected with it in a false position, from the Minister in the Cabinet, who was known a short time since to have been a strenuous advocate of the Corn Law, down to the humblest follower of the party, who scarcely knew what to do between his conscience and his duty—could such a policy be a statesmanlike policy ? Could this measure come before their Lordships with any real weight, when it was in startling opposition to the decision at which the House had arrived a year ago ? This time last year the House of Commons had decided against this measure by a large majority; this year it had decided by as large a majority in its favour. Which spoke the real sense of the country—the decision which was arrived at in a period of calmness and freedom from excitement, or that which had just been adopted under the pressure of the most conflicting and agitating emotions that could afflict the mind of man ? It was the duty of the Government

of the country to raise the tone of public morals, not to elevate or depress in any way the standard of political honour; and he did not think that the Government of the country should have called upon the House of Commons to do that from which the most highminded of their supporters had shrunk, and thrown up their seats. Talk of delegates—one of the greatest mischiefs that could arise from this measure was, that it went directly to the establishment of delegation, as the only mode the constituencies could have of ensuring some kind of representation. Under these circumstances, Ministers should have referred the question to the free and open verdict of the English people. They should have said to the great interests, "We have changed our opinion—have you changed yours? Take back the trust which you gave us under this impression, or confirm it under the altered circumstances of the case. We will not avail ourselves of any false or ungenerous advantages; we will not fight you with the weapons with which your unsuspecting confidence has armed us. We come to you in what we believe to be the name of the country, though with altered views. If you adhere to your own opinions, we ask for a fair field, and the country to decide between us." Had his noble Friends adopted this course, however much he might have differed from them in opinion, they would have won the approbation and admiration of every gallant heart. It was for the purpose of rectifying this error into which he conceived they had fallen, rather than permanently to oppose the progress of the Bill, that he should give his vote against the second reading, for the purpose of obtaining for the people and for the agricultural interest an opportunity of pronouncing their opinion upon it. Let him beg noble Lords not to consider that, in voting for the Amendment of his noble Friend, the noble Duke on the cross bench, they were deciding irrevocably against this measure. They were not doing so; they were only securing for the country that breathing-time of which it had been deprived by what he must term, at the time when this measure was brought forward, a panic-stricken policy. That House had ever been considered the guardian of the rights of the people: it was, he believed, revered as such. Let not their Lordships divest themselves of that sacred character. Their Lordships' House had ever been looked up to for that restraining judgment which tempered precipitate change, without firmly opposing a single object of useful innovation. Considerate men of all classes, agricultural, commercial, and manufacturing, would not disapprove of a considerate policy. Let not the cry of that true-hearted body of men, the yeomanry of England, who had been connected for so many centuries with their Lordships' families—let not that cry come up to them in vain—they did not ask for favour at their Lordships' hands, they only asked for justice. They craved no partial, no final decision: they only prayed that, as far as this question was concerned, they might not be practically blotted out from the representation of their country, or sacrificed, without having an opportunity of exercising, at the determination of this question, that legitimate influence which was vested in them by the Constitution of their country; but of which they complained they had been robbed, by no fault, no negligence of their own, but by the most extraordinary change of opinion of those who governed, and those who represented them, that the yeomanry of any country were ever subject to. They asked their Lordships to exercise their legitimate functions with that caution which they applied to the meanest case of property that came under their notice. In this case, the property of the yeomanry to the amount of millions, and millions, and millions, was involved. They prayed their Lordships to exercise their functions, not for the purpose of permanently defeating this measure, if it should prove to be the real object of the national feeling, but only to ascertain that point. They implored their Lordships to stand in the gap between them and what they considered ruin, unjustly and unnecessarily inflicted, and secure for them that which Englishmen should never ask in vain at the hands of British Peers—fair play. Their Lordships were told last night that there was danger, and there was danger lest honourable minds should be led to do that which they ought not to do for fear of having unhandsome motives attributed to them. This should be urgently pressed upon their Lordships. If they were struggling, as assuredly they were, for the happiness, the welfare, and the prosperity of their country, and not for selfish advantages, were they, on account of personal imputations—painful unquestionably, as all imputations were—to shrink from the performance of that which they felt convinced was their duty? If they were to shrink from their duty for any such

motives, then he would say, but without offence and in the mildest manner, that they had not the requisite courage for manly and useful legislation. A noble Earl, who was not now in his place, had on the preceding evening stated that they ought not to throw any obstacles in the way of the Bill, or to impede its progress in any degree, by prolonging the debate, for that it was necessary for the welfare of the community that the measure should pass as speedily as possible; but he implored of them to reflect whether they would not best be consulting for the interests of all classes, and best acquitting themselves of that high duty which devolved upon them from their position, by rejecting the measure now, and affording the population of this country, whose interests were so vitally concerned, a full and fair opportunity of deciding for themselves, and letting their voices be heard in a manner not to be misunderstood? If measures were to be considered as passed before they were assented to, they had better be given up. Their Lordships had better consult their dignity, by abandoning at once the task of discussion, and, adopting the advice given by a noble Friend, register hereafter, in humble and obedient silence, the edicts of the House of Commons. The removal of agitation by such means would only bring fresh agitation. Who could for a moment doubt that if this Bill passed through the House on such grounds, their Lordships would have to pass a variety of sweeping legislative measures? Let them think for a moment upon the consequences to that Church Establishment from which they derived half the blessings they enjoyed. If the policy now proposed were to be acted upon, that Establishment might not be long permitted to exist in its present form. They should bethink them what a dangerous precedent they might be instituting by adopting such a measure as the present. They knew not for what strange innovations they might be opening the door. Might they not be told ere long, that hereditary legislation was not compatible nor consistent with the advanced ideas of the age, and that although those assembled in that House to-night might be allowed to retain their seats in that assembly, the hereditary right for their posterity to do so would not be permitted to descend so those who were dearer to them than themselves. If such a principle as that now contended for were to be sanctioned, popular clamour would demand sacrifice after sacrifice of the Government and the Legislature, which they would not have the power any longer to resist; because they would have learned to live upon concession, and to seek popularity, not in the wholesome principle of laws well administered, and interests quietly advanced, but rather by a series of *coups d'état*, which though they might dazzle the public eye and captivate the public ear for the moment, were not based on those true and solid foundations whereon all wise measures of legislation should repose. Their Lordships had repeatedly expressed their opinion on subjects of this nature, which, however, were far less hazardous in their probable operation; but were they now prepared to show to the country that on the gravest question which could affect the welfare of the British people, they were about scornfully to reject all expostulations—all representations of those most deeply concerned—and to advance the interests of one class of the community, by immolating those of another? Would such a course of proceeding raise their character with the country for political faith and consistency?—or, would it not rather favour the impression that they would acquiesce in a compromise, were such proposed? In fact, what would the public think of them—yesterday supporting protection, and to-day advocating free trade? He would give to the Bill his unequivocal opposition, and he could not resume his seat without observing that the course he was about to adopt on this question was the only one that he believed to be consistent with honour. Unblemished honour ought to be ever the leading characteristic of English noblemen. It was theirs by the right of birth—it was, as the poet had expressed it "part of them rather than theirs"—honour, pure, unblemished, and stainless, was theirs by birth, and ought to accompany them unsuspected and unspotted from the cradle to the grave. Such was the opinion he entertained of the noble Lords who constituted that assembly; and he would feel that the light of that House, which once beamed so brilliantly, would be at once and for ever dimmed in the eyes of the country—that their occupation would be gone, and their purpose fulfilled, if that honour were to be tarnished by sanctioning such principles as were now sought to be introduced; and it would be of little consequence to him whether their Lordships' career were to be brought to an early close, or whether they were to be permitted by their new masters,

the lords of the League, to cumber with their useless splendour the land which they could no longer benefit.

The EARL of MALMESBURY said, that he was not at all surprised at the anxiety which was evinced by the noble Lords to hear the noble Earl who had risen with him on behalf of the Government, after the very able speech that had been just delivered by his noble Friend; but although he admitted that it might be considered presumptuous in him to address the House after the noble Earl who had just sat down, still, when he found himself face to face opposed to those men whom he had faithfully and zealously supported for a number of years, he was induced to break through his usual rule of giving a tacit vote, and to intrude himself on their attention while he offered a few observations. He felt deeply the situation in which he was placed by the deplorable event of November last. He had been accustomed from early years to surrender his own opinion with almost blind confidence in deference to that of the noble Duke opposite (the Duke of Wellington) and the other Members of his Government. For that noble Duke he entertained the sincerest esteem, and that deep affection which every Englishman felt for him, because he believed, if it had not been for the signal services he had rendered his country, their Lordships might not now be discharging those functions they had inherited from their ancestors. No one could feel personally greater respect for the noble Duke; but he almost as deeply felt, and sincerely deplored, the course which, in his high sense of duty, the noble Duke had thought it necessary to adopt with reference to the present measure. If the Bill had been brought before their Lordships under ordinary circumstances, there would have been but one course to pursue — but one way to treat it. They would have considered its merits as it affected the interests of the people of this country, and the public good, and would have pronounced an opinion of its merits according to their conviction; but he hoped he would not be considered wanting in courtesy if, after the way in which the Bill had been introduced, he gave expression to the opinion that now two reasons existed which might influence them in their deliberations, and induce them to pass the Bill, rather than the conviction that it would be for the good of the country. He might be borne out in this position by referring to the division which took place on the 18th of April, 1842, on the Motion made by the noble Lord behind him (Lord Brougham) to repeal all duties on corn, and in favour of which only four Peers voted in addition to the noble Mover, while 119 Peers had voted against the noble Lord. Might not he (the Earl of Malmesbury) then say without discourtesy, that if the Bill were passed, it would be passed—not because their Lordships entertained the conscientious conviction that it was best for the country; but either because they felt the necessity of placing implicit and unbounded confidence in the First Minister of the Crown, or because they conceived it to be loudly and sincerely demanded by the majority of the people of England. These were the only two reasons which he could conceive could induce the noble Lords, who, in April, 1842, had voted against the Motion of his noble Friend, and left him in a minority of five to support a similar measure now. He would not now go into the arguments which had been adduced in favour of the present policy, though, had time permitted, he would have been glad to touch upon them; but he would pass them over, and allude to the acknowledgment that the present measure was a great experiment. It was not such a great experiment as they believed. A principle analogous to that of free trade in corn had been tried in another part of the British dominions. He alluded to the Hebrides, the Western Isles of Scotland, and the coast opposite to those Islands. Their Lordships might not be acquainted with that locality, but it had been his fortune to visit it on three different occasions. Owing to the irregularity of the beach, and the deep bays and indentations of the coasts, it possessed between three or four thousand miles of seaboard. On the rocks which bordered that seaboard, there grew a production which appeared to be a peculiar gift of Providence to that wild and desolate shore, called "kelp," which, on being burnt, gave large quantities of alkali. In the year 1827, the persons employed in the manufacture of alkali numbered 180,000. Previous to the year 1829, that product was protected by a duty of 8*l.* 10*s.* per ton; but in subsequent years it was reduced to 6*l.* 10*s.*; in 1830 that protection was lowered to 5*l.*; in 1831, to 2*l.*; and lately it had been entirely abolished. Now what was the consequence? The islands were suddenly reduced from a state of flourishing prosperity under protection, to the greatest destitution by the withdrawal

of it, and to a state similar to that in which, in his opinion, the agricultural districts of this country would be reduced by the passing of the proposed measure. When he visited the islands in 1839, they were in a most deplorable state—the ancient chiefs had sold their estates—a few of the population were employed as shepherds in tending flocks of sheep; but the great majority were reduced to the greatest distress by being deprived of their labour in consequence of the duty on kelp being abolished. And for whose benefit had those disastrous results been brought about? Why, for the benefit of the Neapolitans, who supplied this country with sulphur, and this was proved by the temporary activity which was restored to the kelp trade during the disputes with Naples a few years ago respecting sulphur. Mr. Poulett Thompson, who had been instrumental in obtaining the abrogation of the duty, had afterwards visited the islands with him (Lord Malmesbury), and was much struck with the deplorable state of destitution to which they had been reduced, by depriving them of protection to this sole article on which their existence depended; but being a free trader, though he deplored the loss to the inhabitants, he justified it on the principle that the interests of the minority should bow before those of the majority. As a general principle, that was undoubtedly true; but when the minority consisted of thousands and tens of thousands of families, it became a question whether the Government ought not to have paused before it sanctioned such a measure, and calmly balanced the loss and the gain. It had been said by a noble Earl, who had spoken with great ability that night, that the present was a landlord's question. Did the noble Earl believe that this country was entirely rented by farmers, and that the occupier and landlord were not very often one and the same person? By a return which he held in his hand, having reference to his own parish of Christchurch, one of the largest in England, and containing 35,000 acres, he found that only5 persons, including himself, held 500 acres each; only 8 between 200 and 500, 12 between 100 and 200, 11 between 50 and 100, 22 between 20 and 50, and 246 between 15 and 20 acres. Now, he would ask, who would suffer most by these measures of the Government in the parish of Christchurch? He would ask, whether those 246 persons would not suffer according to their means far more than himself, if any depreciation should take place in the value of produce in consequence of the passing of this measure. With regard to the right rev. Prelates, he would remind them that they were the guardians of the interests of the parochial clergy. To those interests they were bound to attend, though on this question the interests of the parochial clergy and their own might not be the same. Some of the right rev. Prelates had fixed incomes; but every clergyman by the Commutation of Tithe Act was paid, not by a fixed income, but according to the old quantity of grain raised when agriculture was comparatively imperfect; and they would be paid according to the new price, however depreciated it might be after the passing of this Bill. He was, moreover, apprehensive of the danger likely to be incurred by making this country dependent on foreign nations for food in time of war; and to show that fear was not altogether imaginary, he would refer to a correspondence that took place between the Earl of Suffolk and Mr. Harris (the noble Lord's ancestor), at a time when the latter Gentleman was British Minister at Prussia, in the time of Frederick the Great. A Treaty was made with Queen Anne, and confirmed by the Treaty of Utrecht, by which Dantzic came into the power of Frederick, who immediately caused very high duties to be placed upon the imports of British goods; and on being remonstrated with by Mr. Harris on behalf of his Government, Frederick the Great caused the ports of Dantzic to be completely closed up against the British. This was done at a time when it was the only place that this country could obtain any corn from. He did not wish to speak harshly against the Prime Minister. He did not wish to impute dishonest or dishonourable feeling to him; but it was a deplorable fact when the Prime Minister came down to the House of Commons and made the appalling confession that for thirty years, and during the reign of four Sovereigns (to use his own words), he had misgoverned and misguided this country. But if he did not impute dishonesty to the right hon. Baronet, what could he say of his judgment and courage? What had been the effect upon his party of this conduct? Was that the Minister for whom their Lordships would sacrifice their conscientious convictions? Was that the Minister for whom the Peers were to become converted without being convinced? As a plain country gentleman, he must say, that such a Minis-

ter and such a man he would neither support, nor follow, nor serve. Had such a Bill as this been called for by the country? The verdict as to protection and free trade was given by the people in 1841. There had been no general election since that year; but every single election that had lately occurred had gone to prove that the people had no confidence in the Minister, and that the constituencies were anxious to dismiss those former representatives by whom they had been deceived and betrayed. But if he were wrong in this statement, the real opinion of the people was easily ascertained; and it was their Lordships' duty to ascertain it. The House of Lords had been made, by the Constitution of the country, a bulwark against the tyranny of the Crown on the one hand, and the encroachments of the people on the other. If they gave way, on the one hand, to the allurements of the Minister, either to save him from voluntary and disgraceful difficulties; or on the other hand, to the rash impatience of the people themselves, they at once abolished the conditions by which they were created. But he would never believe that such could be the case, for their course was, by the Constitution, and by the laws of the country, made so easy, that they could not mistake it. This Bill had been sent to them by a clear majority of the House of Commons; but he denied that it had been sent to them by a clean majority. To such a measure, so sent up to them, he could not give his assent. If, on the other hand, they forced the Minister to a dissolution, and a new House of Commons sent up a Bill which had passed by a clean majority, he should, in that case, feel it to be his duty, as an English Peer, to bow to the decision of an undoubted and indubitable majority of the English people.

The Earl of HADDINGTON assured their Lordships that his anxiety to address the House when the noble Earl who had just sat down had risen with him, did not proceed from any notion that he was about to perform a very agreeable duty. Neither in that or the other House had he ever risen with more unfeigned reluctance or with feelings of greater pain. That reluctance and that pain did not proceed from any doubt or hesitation in his own mind as to the line of conduct he had pursued; but arose from feelings of the deepest regret at finding himself opposed to so great a number of their Lordships for whom he felt the greatest respect, with whom he entertained so many opinions in common, and with whom it had been for so many years his pleasure as well as his pride to act. The noble Earl who spoke the last but one, towards the conclusion of his speech uttered a sentiment in which he entirely concurred—that it was well for the country that in public opinion consistency and character were combined together. He concurred in that sentiment; but like many other sound opinions, if carried out to its utmost consequences, it might deter men from avowing even an honest change of opinion, which it could never be derogatory to a man's character to avow under any circumstances, if the change were honest, and which on questions of pure expediency, like that before the House—for he denied that it involved any of those great principles which some noble Lords, in a spirit of such astonishing exaggeration, had connected with it—he should never be ashamed to avow. But how far he had changed his opinions on the Corn Laws he would now beg leave to state, for he thought that noble Lords on the cross benches would not insist upon judging his present conduct by their opinions on the subject, but rather by his own. He had for a number of years before the formation of the present Government been of opinion, that there had been a great deal of exaggeration on both sides of the question. He had not given vent to his opinions in Parliament, perhaps, for he really forgot how long it was since he had made a speech on the subject.

A Noble LORD: In 1841.

The Earl of HADDINGTON had not the slightest recollection of having made a speech on the Corn Laws in 1841.

Earl STANHOPE: You made a speech in 1841, in which the Corn Law was mentioned.

The Earl of HADDINGTON: That might be, but he had no recollection of having made a speech on the Corn Law for many years. However, he had long been in the habit of expressing his opinion to his friends in private conversation, that the repeal of the Corn Laws would make no great difference to the landed interest, and that agriculture would not be injured, were it not for the panic which would accompany the change. That panic once allayed, matters, he thought, would go on pretty much as before. He was bound in fairness to state, also, that he thought there was much exaggeration upon this subject in the views of the manufacturers;

for he could not believe that the alternate seasons of depression and prosperity, of abundance and glut, were to be attributed to the Corn Law; and he thought that, if any injury to the manufacturers had been derived from protection, they must not stop short at the Corn Law, when it must be attributed also to the protection which they were so very anxious to maintain to their own interests. With these opinions he came to London on the 31st of last October; illness had prevented him from attending the Cabinet Council held on that day; but he had attended that of the 1st of November, when this question was discussed. Now, unquestionably, with respect to Ireland he did not think at that time that the Cabinet had sufficient information to enable them to adopt so strong and extensive a measure as this; but, though he did not think that the state of Ireland was a sufficiently strong ground of itself for adopting so strong a measure, he must own that he had heard with great surprise the doubts which had been thrown, in the course of the debate, on the state of destitution of the people in that unhappy country. He held in his hand a statement of the prices of potatoes up to the 24th of March throughout the country, which had only that day been laid on the Table, and he must say that it was a most alarming statement. However, he did not found the justification of the course he was now following on the state of Ireland. If, therefore, the right hon. Baronet had told his Colleagues, without any reference to the state of Ireland at all, that his opinions on the Corn Laws had changed, that he held them to be impolitic to the landed interest, and unjust to the rest of the community, and that he was anxious that his Colleagues should reconsider the whole question with reference to the final adjustment of it, he (the Earl of Haddington) should not have been surprised at that statement; he would not have shrunk from that inquiry, but would have gone cheerfully into it, and have expressed no difference of opinion from his right hon. Friend. Well, two of his noble Friends adhered strongly to their opinions against any change in the Corn Laws, and the Government was broken up: but if, after the statement of his right hon. Friend to his Colleagues, the Government had gone on and been a united Government, he should have consented to form a part of it, and for these reasons: he felt that the Corn Laws were gone—that they were doomed from the moment that, in addition to that great accession of strength which those who opposed them had gained in public opinion, his right hon. Friend had thrown the weight of his great authority into the scale against them. Then there had arisen great apprehensions in the course of the month that had elapsed on the subject of the peace and prosperity of the manufacturing districts, and considerable alarm of a stagnation of trade, which was coincident with the alarm arising out of the railway speculations; and that was one of the elements which had led to his decision. Moreover, when his right hon. Friend opened to the Cabinet the whole plan of his policy, he (the Earl of Haddington) certainly felt that that made an entirely new question of it. Still, he had some apprehensions, and his apprehensions were founded on the effect the change in the policy of the Cabinet was likely to have on the Conservative party. The question then was, "Shall this subject be brought forward by the right hon. Baronet as head of Her Majesty's Government; or shall he resign, and shall it be brought forward by another Government already pledged to free trade?" He certainly had felt that the great Conservative body of this country would be more offended by seeing the right hon. Baronet advocating, out of office, the principles of free trade, than they would be by seeing him proposing boldly, as Minister, that which was the result of his own honest convictions. However, the Government was broken up; the noble Lord on whom Her Majesty laid Her commands to form a Government, attempted to do so and failed, and the Government of Sir Robert Peel was reinstated. He (the Earl of Haddington) did not think, after what he had already stated, that he need give any explanation as to his conduct in continuing to hold office. For himself he would say, in the most solemn manner, that in the course he had adopted, he had not been actuated by any love of office whatever; for he was not only ready, but should be glad to lay down office to-morrow, and remain a private man for the rest of his life; and certainly there was nothing that any Minister could do for him, or advise Her Majesty to do for him, that could compensate for the loss of his fortune, which must follow from this measure, if the apprehensions of the noble Lords on the cross benches were realized; for the greater part of his rents were paid on the price of corn in the county

town, and consequently, if this measure caused a depreciation of 20 per cent in prices, as the noble Lords on the cross benches held it would do, he should lose one-fifth of his income. He must say that there had been much exaggeration on the part of several noble Lords who had opposed this measure, as to the results which might be anticipated from it. Some noble Lords had not been content with prophesying that all manner of evils would follow the adoption of the principle of free trade, so far as the prosperity of the agricultural interest was concerned, but they had also prophesied ruin and destruction to Church and State, and had predicted that it would eventually lead to general anarchy and confusion. His noble Friend on the cross benches (the Duke of Richmond), had opened this formidable battery of awful prophecies, and had concluded his speech by a tremendous announcement of the evils which were to follow the adoption of this Bill. [The Duke of RICHMOND: I referred to the results of clamour and agitation.] His noble Friend was followed in this course by the noble Duke who sat next him; and he must own that, to his no small astonishment, the example was also followed by his noble Friend (Lord Stanley) in one of the most able speeches he had ever heard in that House. That noble Lord had displayed first-rate Parliamentary talent; and this display had been most gratifying to him (the Earl of Haddington), when he considered the character of that noble Lord, and the high position he was one day destined to fill in this country. Although he lamented that the formidable battery of that noble Lord's eloquence had been directed against the present measure, and though he thought much of his argument erroneous, misapplied, and exaggerated, he had been rejoiced to see the strong Conservative principle maintained throughout his speech. That noble Lord (Lord Stanley) read an extract from the speech of a radical man, delivered at some meeting of the Anti-Corn-Law League. He must own he was astonished that his noble Friend should illustrate his argument by quoting that man's speech. He had no doubt that man expressed his sincere convictions; but he spoke excessive nonsense, and that his noble Friend knew very well. If he (the Earl of Haddington) believed that his right hon. Friend (Sir R. Peel) was pursuing his present course from a cowardly submission to the clamour of the Anti-Corn-Law League, or that he would follow up this measure by further submission to the same body, no human power could induce him to become a consenting party to this Bill. He was convinced that the evils and dangers anticipated by his noble Friends as likely to result from the adoption of this Bill, were much more likely to ensue if their Lordships threw out the measure. His decided opinion was—and it was an opinion he had long entertained—that the principle of free trade in corn had been growing in favour with the people of this country. He believed that a large portion of the landed interest itself had ceased to apprehend any evil consequences from the adoption of that principle, and were anxious for a settlement of the question. This Bill had been sent up by a majority of nearly 100 from the other House of Parliament, and he considered that very serious consequences might ensue from its rejection by their Lordships. The Government were told that they ought to have appealed to the country on the question. It was very easy for irresponsible Members of that House to talk of appeals to the country on a question which, as it materially affected the food of the people, must necessarily give rise to great agitation and excitement; but he believed that if Sir R. Peel and his Colleagues had determined upon appealing to the country, they would have taken a most fatal course. He admitted that the Government had incurred great responsibility in bringing forward this measure; but he thought that responsibility would have been greatly increased if they had thrown the whole question open to agitation at a time when the feelings of the people were much excited on the subject. Why, he would like to know, was not the House of Commons competent to deal with the subject? The Government had been charged by the noble Earl near him with misleading the people, with misleading the constituencies, and with misleading their supporters in 1841, by not declaring what their intentions were. Undoubtedly, if at that time the Government had had any intention of proposing a measure of this kind, it would have been most unbecoming and disgraceful if they had not given some intimation of their views; but the fact was they had not entertained any such intention, for Sir R. Peel had openly and boldly avowed a complete change of opinion on this question. [The Duke of RICHMOND: Hear, hear.] His noble Friend on the cross benches cheered

that statement. Did not the noble Duke believe that Sir R. Peel had changed his opinion? It was impossible to doubt that his right hon. Friend's conduct had been dictated by a strong and sincere sense of public duty. What earthly object could he have in proposing such a measure as this? Could it be conceived that a man of great sagacity and foresight, occupying the highest position in the kingdom, possessing the confidence of his Sovereign, of his party, and of the country, would wantonly, like a madman, throw away his power, without any assignable motive? He was convinced, that before many years had elapsed, it would be acknowledged that his right hon. Friend had done more essential service to this country than any Minister for a long series of years. He certainly should be glad if it were in his power to deal with the details of this question in such a manner as to carry conviction to the minds of any of their Lordships; but he must own he felt very unequal to it; he was but a very poor political economist. But those who had addressed the House had already done ample justice to the measure itself, and none more than a noble Earl on the other side of the House, who spoke early in the debate, and who made a speech of the most distinguished ability, showing a most consummate knowledge of the subject. A noble Friend of his, stung by the eloquent eulogium pronounced last night upon Sir R. Peel by a noble and learned Lord, and fearful that the disposition to indulge in personalities might die away in the course of this dull debate, had, following the example of the noble Duke (the Duke of Richmond), discussed the distinction between the personal honour and the public character of statesmen. He thought it would have been more becoming in his noble Friend to have adhered to his resolution of not indulging in personalities, especially considering the vote which the noble Marquess was about to give, and the friends around him were about to give; and considering that though Sir R. Peel had excited so strong a feeling among his friends and supporters, he, at least, brought forward a measure which the noble Marquess had proclaimed that he considered as the best that had ever been brought forward. [Lord NORMANBY: No, no!] That might not be the opinion of the noble Marquess; but he thought he had heard several other noble Lords on the opposite side of the House make such a statement. If he might judge, in particular, from the speech of a noble Earl whom he did not then see in his place (Earl Fitzwilliam), the noble Lords opposite had not much fault to find with the Bill—except that they would have preferred an immediate repeal of the Corn Laws. [*The Marquess of Normanby intimated his dissent.*] The noble Marquess shook his head; but he (the Earl of Haddington) suspected that the noble Marquess stood alone among his noble Friends—for certainly some of them had stated that they thought it would be a great deal better to have immediate repeal. There was no doubt, however, that the noble Lord was pledged to support the principle of the Bill; and accordingly it would have evidenced a more generous and liberal feeling if the noble Marquess had kept himself to that, and not indulged in personalities. He conceived that the great object of the Corn Law was to prevent fluctuation, to secure steadiness of price, and to make us independent of foreign nations. Now, with all the attention he had been able to pay to this question, he could not find that it had answered any one of those objects. He did believe that the Corn Law had to a certain degree—by having gained the confidence of the agricultural body—contributed to the improvement of the land. He meant that it had induced the agriculturist to invest capital in improvement. That opinion he still retained; but he did maintain that the change which was now proposed was much more likely to secure steady prices than the present law. He did not believe that fluctuations could ever be altogether avoided, for as long as they had changeable seasons they would have fluctuations; but he believed that by a free trade in corn; by the quantity which happened to be wanted, and which the interests of parties induced them to send to this country at the time when it was wanted; by its coming in equally at all times, would secure a greater steadiness of price than at present. The tendency of the sliding-scale, and indeed of all protection, was to accumulate a vast quantity of corn, and to inundate the market, perhaps at the most inconvenient moment, by the introduction of a large quantity of grain when it was not wanted. Why, he recollected that on one occasion 1,200,000 quarters, out of an importation of 1,800,000 quarters, were let into the market in one week, to the great injury of the farmer, who had sold the greater part of his crop at a low, or, at all events, a very reasonable price, in the

hope that, at that part of the season, when the prices of grain generally rose, he would be able to indemnify himself, but who was deprived of this benefit, probably, by some trick of the market. With respect to the question of foreign supply, he was unwilling to go over the ground which other noble Lords had gone over in a manner which he could not hope to emulate; but he must say that he had no apprehension of not having a supply from abroad when it was wanted. The instance mentioned last night by his noble and learned Friend (Lord Brougham) of 1,500,000 quarters having found their way into this country in 1810, principally from France, was a strong proof of the groundlessness of the apprehension. His noble Friend who spoke last instanced a negotiation of his able and distinguished father, in 1773, at the Court of Berlin, and said that Frederick the Great determined, in spite of all the advice given him by his Ministers and diplomatists, to close the port of Dantzic. That was an isolated case, and could have no very important consequences; but there was now a public opinion even in absolute monarchies, which could not with impunity be defied. When it was for the benefit of the people that the Prussian ports should be opened, the King would never refuse it, or expose his people to any inconvenience or distress. With respect to excessive importations from abroad, he thought the apprehensions equally unfounded. He could not imagine where they were to come from. For twenty years previous to 1842—under the absolute protection which then existed—there had been enormous importations—in one year, for instance, to the extent of nearly 3,000,000 quarters; and he did not see how any increase could possibly occur under the proposed Bill—for where was it to come from? His noble Friend (Lord Stanley) had gone back to the days of Edward IV. to show that protection had always prevailed in this country. He (the Earl of Haddington) would not go so far back, but would at once admit that, taking one period with another, that principle had regulated our legislation. That was true; but at the same time it had been constantly found necessary to change it, either in compliance with the wishes of the farmers, or from other causes; and even at periods when the protection was very low indeed, so low as to be almost nominal, not less than 3,000,000 more acres were brought into cultivation, in consequence of the increase of population. Had we not the same growing market now? He firmly believed that the increase of population would fully counterbalance any pressure that might at first arise from the passing of this measure. On the other hand, if its effect should be to bring corn within the means of thousands of our poorer fellowcountrymen, that would be a source of gratification to every benevolent heart. It was a fallacy to assert that the prosperity of the agricultural interest was solely to be measured by the price of wheat; and he felt quite convinced that if corn were at a reasonable price the landlords would still get as good rents, and the farmers make as good profits. The authority of the late Lord Spencer had been quoted, to the effect that a repeal of the Corn Laws would not cause a fall of prices. That might be going too far; but this he would say, that he did believe if there was at first a slight depression, it would ultimately be counteracted; besides that there would be an improved system of husbandry, and a general prosperity in agriculture. It had been said that Her Majesty's Government were seeking, by unfair means, to induce their Lordships to agree to this Bill. He could assure them that they had no desire that their Lordships should give any but an honest verdict. But at the same time he thought they were bound to consider the time and the circumstances in which this measure was introduced. He did not believe that it would in the slightest degree diminish the legitimate influence of the aristocracy. He respected the important services they had rendered to their country; and he should heartily grieve that any thing should occur which could lessen in the slightest degree their influence with their neighbours in the country. It was, however, because he entertained these sentiments that he would regard with so much alarm the alternative of their Lordships throwing this Bill out. He did believe that they would be entering on a hopeless conflict for the maintenance of a Corn Law, and that in such a contest they could not but be ultimately defeated. If this Bill were thrown out, nothing would be more likely than that those noble Lords who seemed so much to desire a dissolution would have the benefit of it, and that there would be a general election. His own impression was that the return of a new Parliament would show an overwhelming majority in favour of free trade, and that their Lordships would, under that pressure, be in a manner compelled to pass

the Bill. Indeed, most of their Lordships who had spoken had stated that if the country really and deliberately decided in favour of free trade, the House would be compelled to accede to their request. Well, in the event of a general election, they would be directly and obviously yielding to pressure from without. Government had been taunted with yielding to the clamours of the Anti-Corn-Law League. Government had done no such thing. The League had been clamouring for he did not know how many years before the Government took the least notice of it. Let him be allowed to tell the House that the great success of the Anti-Corn-Law League was a fact which it was impossible either for the Government, or for their Lordships, or for the other House of Parliament, to overlook. The League was set agoing by a company of gentlemen whose proceedings he was not there to defend; on the contrary, he deprecated the language which they had held—he disliked the views and opinions which they entertained as much as could any of their Lordships. He disliked the principle of agitation—of organized agitation—as much as the noble Duke on the cross benches; but there were a great number of persons who had joined the League—of all shades of political opinion, and all classes of society—men, indeed, belonging to classes whose interest it was, as much as it was the interest of any, that the peace of the country should be maintained. Thousands of such persons were members of the League, with nofeelings whatever—with no ulterior views whatever—other than the achievement of a free trade in corn. And how had they succeeded? Two short years ago, in Manchester and Liverpool, they met with little sympathy. Was that the case now? Their Lordships would recollect the thousands and thousands of pounds subscribed, not only at Manchester, but throughout the country, for the sake of obtaining free trade; but besides this, he had seen very considerable changes in the opinion of the landed interest itself. The farmers appeared to wish only for a settlement of the question, and if they were alarmed at the possible effects of the Bill, no such eager demand for a settlement would be made; conscious as they must be that total Corn Law repeal was the only way by which the great question could now be disposed of. Throughout this debate he had been principally pained by the injustice done to his right hon. Friend at the head of the Government. Now, he did not think that there ever was a Minister at the head of affairs in this country who was more exclusively desirous of doing his duty—of being guided only by his sense of what was right, irrespective of anything else. He had been in the Cabinet between four and five years, and he could not be mistaken on the point. Never was there a Minister of greater and more unimpeachable integrity than the right hon. Baronet. He believed, too, that he was a man of the profoundest sagacity. [*Laughter.*] He would ask noble Lords who laughed how long it was since they entertained a different opinion upon the subject? He repeated that his right hon. Friend was a man of great political wisdom—he had the greatest confidence in his judgment; and their Lordships would recollect that it was not long since they had entertained the same feeling. It did not become him to prophesy; but he could only say, that if his right hon. Friend was right in his anticipations of what would be the result of the measure, he would turn out to be a great benefactor to the people of this country, and to no class more than to that of the landed aristocracy. The Government had been taunted with not having stated the probable results of their measure—with not having stated their expectations as to the probable price of corn. Now, a more preposterous and unreasonable proposition than to attempt to make the Government do anything of the sort he had never heard. When the Corn Bills of 1815, of 1822, of 1828, even of 1842, were introduced, nobody pretended to state exactly what he conceived the prices of corn would be. True, his right hon. Friend, in proposing the existing Corn Bill, anticipated in general terms that corn would fluctuate between 54*s.* and 58*s.*; but the result had not turned out to be so. There was, therefore, no inducement to attempt to predict the probable prices of corn admitted free, when so little success had attended the anticipations which had been indulged in as to its probable cost when they had at all events a fixed rate of duty to guide them in their calculations. Although, then, a Minister might be fairly expected to say that he anticipated generally beneficial results from the measure, it was preposterous to ask him to enter into minute details as to those expected advantages. He thanked the House for the attention with which they had heard him; and he could assure them that he had never given a vote with less hesitation than

he would that to affirm the proposition of Government.

The Marquess of NORMANBY rose to explain: His noble Friend who had just sat down had completely misrepresented him—had put words which he never uttered into his mouth—had made him express opinions which he had never entertained, and had also imputed motives to him which would be most unworthy if they were not most improbable and absurd. He must, therefore, beg for a moment's attention to set himself right with their Lordships. His noble Friend had found fault with him because he had commented on the public character of the Prime Minister, stating that he (the Marquess of Normanby) had used strong and injurious language towards a man who was advancing the measure which he (the Marquess of Normanby) considered best for the interests of the country. When his noble Friend made that statement, he had, in a manner not unusual in the House, interrupted him by exclaiming "No." Upon which his noble Friend had stated that he (the Marquess of Normanby) saw no distinction between a fixed duty and a sliding-scale. What he (the Marquess of Normanby) had stated was, that he should have preferred a fixed duty, and that if a fixed duty could not be imposed, he should have preferred the immediate extinction of any duty at all. Then, as to the more important point in his noble Friend's speech, in which improper motives had been imputed to him. He had differed with his noble and learned Friend (Lord Brougham) upon the question of the qualities to be looked for in a statesman, and he felt it his duty to express that difference of opinion; but he could not admit that anything he had said could be called personal. What he had stated was, that Sir Robert Peel had for the last three years done everything in his power to retard the progress of such measures as the present, and that he did not think it was of such stuff that the Ministers of this country should be made.

The Earl of HARDWICKE (who rose with Earl Grey) said he could assure their Lordships that it was with very great regret that he interfered with his noble Friend, feeling that his noble Friend was so much more worthy from his great abilities, his extensive acquaintance with all Parliamentary subjects, as well as being more accustomed to public speaking than himself, of occupying the attention of the House at that late hour. He supposed he must begin his address like almost every other noble Lord who had spoken on the subject by expressing his regret—

"Prologues precede the piece in mournful verse—"

that he was compelled to array himself in opposition to many noble Friends of his with whom he had been in habits of alliance, and between whom and himself there always had existed a good understanding. But he confessed he then found himself divided from them by circumstances over which he had no control. He gave them every possible credit for being influenced by the most honourable motives, as public men, in the course which they were pursuing; and having said so much, he thought he had a right, as a public man, to express his own sentiments on so important a subject as the present—a subject in which the general interest of the country was so deeply concerned; and he only regretted that he should be obliged to ask their Lordships' attention at such a late hour of the night. He did not believe their Lordships were more interested in the question than the humblest man in the community. Nay, he felt convinced that the lower they descended in the social scale, the more the individual was concerned. He conceived that those who were opposing this measure, were the real protectors of the poor. It was not the poorer class who were urging on the question: it was the rich manufacturers—it was the aristocracy of wealth that was interested in abolishing protection; and in the contest between two classes of aristocracy, it was the poor man that was likely to be the sufferer; and, therefore, it was, that he said that his noble Friends who agreed with him on this question were the real protectors of the poor man. It was the power of wealth that was urging on this measure—it was the power of the steam-engine, which with its wonderful and varied applications led the manufacturers to believe that if they could lower the price of food and fuel, they could flood the markets of the world. In the most democratic of countries, America, the principles of protection were stedfastly maintained. To one exposition of those principles he should refer. There were publications which represented the views generally entertained by communities. *The Times* newspaper, for instance, might be quoted as an organ always expressing public opinion in this country. Now, he should quote the American *Times*. [The noble Earl then read

a quotation describing the protective system as purely democratic in its tendency, as fostering industry, as enabling the poor man to acquire a competency, as designed not for the few, but for the many, and, though productive of common good, as conferring its peculiar blessings upon the lower classes.] To these opinions he fully subscribed; and he believed their Lordships were influenced in the views which they took upon the present question not as one involving their own interests, but by a desire for the common good. If he were to look to his own interests, he should benefit by a measure which for a period lowered the value of property; for then as a great proprietor he should be able to put his hands upon the surrounding small properties. The small proprietor was, he feared, often in debt, and his property mortgaged, thus depending on a small balance; and when that was swept away his property must come into the market. It was the small proprietor, therefore, more than any other, that their Lordships were called on to defend. This country had flourished under the protective system. They saw by the statistics which were on their Lordships' Table, that the system of protection had advanced the shipping, the commercial, the manufacturing, the agricultural, and in fact all the other great interests of the country. Though it was said the farmers had not made such a progress as other classes in improvement, he would show them by a few facts how the agriculturists of this country had discharged their duty, of providing sufficient food for an increasing population, and giving the poor man cheap bread—cheaper than he ever would have under any system of free trade; that they had succeeded in keeping pace with the wants of an increasing population in a manner which was quite astonishing, at prices which had diminished. In 1825 the population of England was about 16,000,000, and the average price of corn 60*s.* a quarter. In 1835 they had increased to 18,000,000, and the price of corn was 56*s.*; and in 1845, with a population of 20,000,000, the price of corn was 52*s.* Then, again, the produce of the country under the protective system had increased from 3,900,000 quarters of wheat to 5,800,000. As another proof of the elastic character of the resources of the country under the same system of protection, he would instance the revenue maintaining its equality with the public expenditure notwithstanding the great reduction of taxation. Sir R. Peel, speaking in 1844, said "the elasticity of commerce to meet a decreased revenue, had been produced by the condemned system of the Corn Laws; and the question was whether that could be a radically vicious system under which commerce had been so extraordinarily elastic that it had maintained the revenue, notwithstanding the great diminution of taxation." This being established, he would show that the price in this country of food other than bread had decreased under the present system. He held in his hand a return of the contracts for Greenwich Hospital in 1791-2, and 1841-4-5. The result was most extraordinary. The whole ration in 1792 consisted of flour nine ounces, bread fifteen ounces, and meat four and a half ounces; and the cost then was 6*d.* per ration. Now the ration consisted of beef or mutton thirteen ounces, bread sixteen ounces, potatoes one pound, cocoa three-quarters of an ounce, and moist sugar three-quarters of an ounce, and the cost of the ration was only 7*d.* and three-sixteenths. He maintained, therefore, that food had been made cheaper under a system of protection. His noble Friend had alluded last night to the capital invested in agriculture; but in addition to his noble Friend's statement, he would mention there had been an enormous increase in the shipping employed for the use of agriculture, there being in 1845 no less than 679 ships of 219,764 tons, and having 11,434 seamen engaged in the guano trade alone, no small proof of the exertions making to raise food to meet the wants of a growing population. He would also venture to speak of that disputed point, the condition of the labourer. He had taken great pains to acquire accurate information on this point, and he could assure their Lordships that in many respects it was much better than formerly. Many of the aged poor in his own neighbourhood had stated that sixty or seventy years ago 'they never remembered to have seen wheaten bread—in fact it was impossible to conceive anything more wretched than was the condition of that part of the country; no roads, the country unenclosed, the farmer killing and salting down the meat neeessary for his winter supply—no stock of any kind could be kept except during the summer months. Now under the system of protection, what a contrast! That whole district has been drained, enclosed, and brought into cultivation; and

in consequence the poor were fully employed and well fed. But the truth was, that with respect to the condition of the labourer, whether agricultural or manufacturing, they must look at the condition of those above him, and see what were their profits, before they could form a right judgment as to the portion of those profits which should belong to the labourer. Their Lordships must know well that there was no description of employment in which profits were so small as in agriculture; and having himself had some experience, he was prepared to say, speaking generally, that from 10*s.* to 12*s.* per week was the highest rate of wages that could possibly be afforded out of those profits. Another important question on this subject was whether the rate of wages was regulated by the price of food. This was a question much controverted, and he was satisfied that both the parties who discussed it were right. He was satisfied that with respect to the wages of the manufacturing labourer the price of corn had little to do; but not so with the agricultural labourer. There were three ingredients that formed the value of labour—skill, demand, and price of food. The skilful and ingenious mechanic could get high wages, because he was skilful and ingenious, without reference to the price of food. When manufactures were prosperous, skilful labourers were in great demand; and they were engaged at high wages without reference to the price of food. But agricultural labour required, comparatively speaking, no great skill; all the labourers in this respect were pretty much alike; and during a large portion of the year their labour was of very little profit, under which circumstances it was true that an important ingredient in the calculation of their wages was the price of food. It was evident, therefore, that, in the agricultural districts, wages would oscillate with the price of food; whilst the manufacturer, whose machinery was perpetually in motion, and who made his profits from the quantity of his produce sold, would be indifferent as to the price of food. He would say, also, that it was a most important thing for the labourer that the price of corn should not fall excessively low, for if it did, his condition must be seriously injured. Another portion of the question was the influence of prices on the rate of mortality. He held in his hand a pamphlet written by a manufacturer of the name of Barker, from which it appeared that, in the manufacturing districts, the annual number of deaths in a population of 1,000,000 was 21,860 when the price of wheat was under 50*s.* a quarter; 20,618 when the price was between 50*s.* and 60*s.*; 20,030 when the price was between 60*s.* and 70*s.*; 19,502 when the price was between 70*s.* and 80*s.*; 19,873 when the price was between 80*s.* and 90*s.*; 19,206 when the price was between 90*s.* and 100*s.*; but when the price was above 100*s.*, the rate of mortality began to increase again. It further appeared that the same result wss observable in the agricultural districts, although not in precisely the same degree. The cause of this was, to his mind, evident. A low price of corn threw numbers out of employ—their health was injured from their deteriorated condition; a high price produced the same effect from a different cause; he feared it was, that the wages did not rise sufficiently to meet the cost of food. It was clear, therefore, that the middle or moderate price was the best for the health and comfort of the poor. He had now stated quite enough to show the state and condition of this question; and he boldly asserted, without fear of contradiction, that the Empire had been in a most flourishing condition under the Corn Laws, and so continued to be. Then why were they to make a change? And this was a question he had not yet heard answered. It was originally stated that Ireland was in such a condition that it was necessary to do something to supply that country with food; and at first sight he had thought there was a necessity for some alteration. It was not, however, necessary, after all that had transpired, to go into the question whether there was a famine in Ireland; for that plea had been abandoned by the Minister in the other House of Parliament, and in this they had heard little about it. Sir R. Peel stated in his last speech upon that subject, "that he did not rest his support of that Bill upon the temporary ground of the scarcity in Ireland;" so that that argument in favour of the proposed change might be considered to have been abandoned by Her Majesty's Government. His noble and learned Friend opposite (Lord Brougham) had said that the distress in Ireland was much less than had at one time been apprehended, in consequence of the introduction into that country, under the direction of Her Majesty's Ministers, of a large quantity of maize, giving credit to the Government for having, as

he supposed, checked the progress of famine. Now, he (the Earl of Hardwicke) found that only 53,000 quarters of maize had been imported into Ireland since the commencement of the month of January up to the present time; whereas it appeared from a return which he held in his hand, that the following exports of corn and of flour and oatmeal, from Ireland, had taken place during the months of April and May last:—In April 19,540 quarters of wheat, and in May 33,372 quarters; in April, 10,148 quarters of barley, and in May 11,089 quarters; in April, 80,803 quarters of oats, and in May, 93,888 quarters; in April, 89,000 cwts. of flour, and in May, 101,898 cwts.; in April, 50,360 cwts. of oatmeal, and in May, 69,194 cwts.; so that the quantity of maize imported into Ireland, by order of the Government, bore but a very small proportion to the amount of produce which had been sent out of that country, showing more clearly than any words or arguments, that no want of food existed at any late period in that country. His noble and learned Friend opposite (Lord Brougham), had said that his opinions upon the subject of the Corn Laws had never varied.

Lord BROUGHAM said, that what he had stated was, that he had always been opposed to the sliding-scale.

The Earl of HARDWICKE continued.—He found that in the year 1827 his noble and learned Friend, according to the reports of the debates in the other House, had made a most eloquent speech in favour of the sliding-scale. He spoke at such length and so strongly in its favour, with that pleasing excitement which always gave such satisfaction, and with such liveliness of manner, that, according to the report, there was such coughing in the House, and such interruption, that the progress of his noble and learned Friend's speech was stopped, and he (Lord Brougham) "hoped that the Gentlemen who interrupted him would abstain from further impediments—their efforts would only affect themselves, and bring on colds and coughs to-morrow from unnecessary exhaustion." He knew the importance of the opinions of his noble and learned Friend; and though he had forgotten, amongst the immense number of speeches he had made, this particular advocacy of the sliding-scale, he must be as fully excused as others who did not recollect a speech made at a former time.

Lord BROUGHAM rose to borrow the volume of *Hansard*, saying he was very curious to read the speech, because his noble Friend had only said that he was prevented from making it, and had not read any argument from it.

The Earl of HARDWICKE resumed. The noble and learned Lord entered into some calculations respecting the exports of corn to this country from Dantzic. He said that the charges above the price of the corn would be 10*s*., viz., 5*s*. for freight, 2*s*. for insurance, and 3*s*. for other charges. But that was very inaccurate; a more exact estimate showed that the charges amounted to no more than 6*s*. 4½*d*.

Lord BROUGHAM explained, that that was not his calculation; for, on the contrary, it was the argument used by his opponents. They contended that if the price at Dantzic were 30*s*., and the charges 10*s*., certain results would ensue; to that he replied, that they could not tell whether the price at Dantzic would be 30*s*. after the English Corn Laws were repealed.

The Earl of HARDWICKE said, that he was merely taking those parts of the noble and learned Lord's speech which seemed to him to require contradiction. He should now, however, go to another portion of the subject, namely, fluctuation of price, and its effect upon the small farmers. The industrious and honest farmer depended more upon the steadiness of price than upon anything else. He must pay his rents out of his yearly profits; and the moment the price fell below a certain amount, he would be completely destroyed; and he could, from references to documents which he held in his hand, easily show that the existing Corn Law had maintained prices in England more steadily than in any other part of the world similarly circumstanced. He would refer to Philadelphia, as an instance,—a country which did not grow enough of corn for its own consumption, to point out the effects of a free-trade policy in producing fluctuations of price. From 1834 to 1840 the fluctuation in that country was 47 per cent; while in England during the same period it was only 33 per cent; and the extreme septennial fluctuation in Philadelphia was 270 per cent; while in England it was only 207 per cent. It had been said, however, that the tenant-farmer had nothing to do with that portion of the question: that the landlords had only to reduce their rents, and that would settle the matter. Upon that subject his noble Friend behind him (Lord Stanley) had said all that was requisite; and he (the Earl of Hardwicke) might add

that if the incomes of their Lordships were reduced but one-fourth the consequences to the country and to the manufacturing interests would be disastrous in the extreme. In a correspondence which had taken place between Mr. Senior and Colonel Torrens, one of the great political economists of the day, he stated that the effect of a reduction of rents would be that, with that reduction in rent, there would be a corresponding reduction in the value of the industry of the labouring man, and a reduction in the price of his labour. In that opinion he (the Earl of Hardwicke) entirely concurred. The most important question that remained for consideration was the absolute necessity of keeping this country independent of foreign countries. That wise policy had been the policy of our ancestors for ages past, and had led to the settlement of the present Royal Family upon the Throne; for it was to render us independent of Popish influence that caused the settlement of the Crown to the exclusion of the Stuarts. Were not all the evils which had befallen this country attributable to either foreign connexion or foreign interference? Our enormous debt had arisen from these causes alone. He would trespass on their Lordships but one moment more for the purpose of calling their attention to their own position. It was perfectly notorious that the present Parliament was assembled under the Government of noble Lords opposite upon the particular question now under discussion; it was the ground on which the Conservative Government came into power. Sir R. Peel, on the Motion of want of confidence, on the 31st of January, 1840, said, "Agriculture has improved since 1834. It is owing to your fostering hand (addressing the Government benches), and the manly and decided tone which you have taken on the Corn Laws. I said previously, and I now repeat, that I consider liberal protection to domestic agriculture indispensable." Speaking of the principles which would prevail if a new Government came into power, he said, "I can answer for this, that if the principles I profess do not prevail, of that Government I will become no party." This was the language used by Sir R. Peel previous to the dissolution of Parliament, and which language gave him (Lord Hardwicke) confidence in the course Sir R. Peel would pursue; this was the language which caused the great country party to rally round Sir R. Peel and overthrow the Whig Government. In his speech on the opening of the present Session, "I should have wished," he said, speaking of himself, "that another Parliament should have an opportunity of considering this question, but there did occur that during the recess which precluded me from taking that step." He then alluded to the visitation of Providence which had befallen Ireland, the consequences of which it was difficult to foresee. Ireland was the whole question. Sir Robert Peel was ready to dissolve had it not been for Ireland. Well, but that question was settled. It was, therefore, their bounden duty to afford the people of this country an opportunity of pronouncing an opinion upon this question by rejecting the Bill.

Lord BROUGHAM rose to explain. He found that the reports of proceedings in Parliament, at the time his noble Friend had referred to, in quoting what he represented as his (Lord Brougham's) opinions, were by no means so accurate and full as the reports of the present day; and anything equal to the nonsense that some of the speakers were made to say he had never read. The noble and learned Lord then quoted portions of speeches made by himself in the House of Commons, in March, 1827, when, instead of expressing his concurrence in the principle of the sliding-scale, he declared his approval of the principles of commercial reform which the Government had then recently entered upon, but confined within his own bosom his sentiments upon the subject of free trade; he certainly did not express his concurrence in the sliding-scale.

After some discussion as to the convenience of the House sitting on Wednesday (which was also the anniversary of the Restoration of Charles II., on which day the House is not accustomed to sit), debate adjourned to Thursday.

House adjourned.

HOUSE OF COMMONS,

Tuesday, May 26, 1846.

Minutes.] Petitions Presented. By several hon. Members, from a great number of places, complaining of Refusal to grant Sites for the Erection of Churches for the Free Church in Scotland.—By several hon. Members, from various places, against the Union of the Sees of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—By several hon. Members, from various places, in favour of the Roman Catholic Relief Bill.

SPANISH DISCRIMINATING DUTIES.

Mr. LABOUCHERE repeated his question to Sir R. Peel of a former night, whether there was any foundation for the

reports mentioned in the public prints, that the Spanish Government had sent out directions to the Government of Cuba, to impose discriminating duties on British goods entered at the ports of Cuba and Porto Rico.

SIR R. PEEL said, that as to whether the Spanish Government had sent out any directions to Cuba, Her Majesty's Government had received no information; but they had had communications from the British Consul at Cuba, stating that from the 1st of March last new regulations were adopted there, both with respect to the Tariff and to the tonnage of importations; but those alterations were not directed particularly against British shipping or British goods. They applied indiscriminately to all shipping and to all goods. In some cases the duty was lowered, and in others it was raised. In the opinion of the Consul, the alterations in the duty did not particularly affect the British merchants. In the case of linens the duty was lowered, while, with respect to cotton goods it was increased; but the produce of all countries was equally affected, and it did not appear that the alteration had been adopted as a retaliatory or hostile measure towards this country.

TRAGICAL OCCURRENCE AT BIRDHILL.

MR. O'CONNELL wished to ask a question of Sir James Graham. A melancholy circumstance had occurred in Ireland, in which two human beings had been shot to death by the police, under the orders and by the sanction of the sheriff, in the county of Tipperary. He wished to ask whether any report explanatory of the circumstances of this melancholy case had been furnished to the Government; and, if so, whether the Government felt justified in laying such a report before the House. But if no report had been received, he would ask whether any steps had been taken to require the officers of the Crown to institute an inquiry into the circumstances?

SIR J. GRAHAM: I can assure the hon. and learned Gentleman that he cannot more deeply and sincerely deplore the event which has occurred than I do. The officer under whose authority the seizure of the property was made was the under-sheriff of the county, and the police and soldiers acting on that occasion were under his immediate orders in his capacity of under-sheriff. They were, indeed, a part of the *posse comitatus*, and were bound, when called out, to obey his orders. The question, then, to be considered was, whether there had been any excessive violence on the part of the police and soldiers. That question has been partially submitted to a jury already; for on the inquest the jury were convinced that there had not been any excessive violence, and therefore they found a verdict of justifiable homicide. But it is open to any party to prosecute the sheriff. I have, indeed, reason to believe that informations have already either been sworn, or are about to be sworn. Of course those informations will be laid before the Government, and it will then be for the Government to determine whether or no it becomes their duty to conduct the prosecution.

TRANSPORTATION — VAN DIEMEN'S LAND.

MR. EWART rose to move Resolutions to the effect that the present system of making the Colony of Van Diemen's Land a general receptacle for convicts should cease, and that transportation should no longer be maintained as a punishment; but be continued only as a supplement to the previous punishment of imprisonment. On a previous occasion, he called the attention of the Government to the state of Van Diemen's Land. Since then he had presented a petition setting forth the sufferings of the population of that Colony; he therefore felt justified in bringing the question forward, not only, however, on that ground, but because it was a question deeply involving the moral state of the Colony, and calling imperatively for legislative interference. If the question were put, *à priori*, whether, if all the convicts of a country were concentrated within one small Colony, the most disastrous moral results would not attend such a system, he would appeal to hon. Gentleman whether their unanimous answer would not be—it must necessarily be so. No sooner did he hear of the scheme which had been recently adopted, and for which they were indebted to Lord Stanley, than he foresaw petitions and complaints from the people of Van Diemen's Land. Such a consummation was natural. He would quote no less an authority than that of Dr. Arnold in support of his own view on this subject. That eminent literary character took a very strong view of the question, and some time since wrote in a letter to Sir J. Franklin to this effect:—

"Holding our West India Colonies to be one of the worst stains in the moral history of mankind, a convict Colony seems to me to be even more

shocking and more monstrous in its very conception. I do not know to what extent Van Diemen's Land is so; but I am sure that no such evil can be done to mankind as by thus sowing with rotten seed, and raising up a nation morally tainted in its very origin. Compared with this the bloodiest exterminations ever effected by conquest were useful and good actions."

From the year 1824 to 1840, Van Diemen's Land gradually advanced in prosperity. Its population increased from 12,700 to 40,000; its shipping, from one vessel to 141; its imports, from 62,000*l.* to 988,000*l.*; its exports from 14,500*l.* to 867,000*l.*; its places of worship, from 4 to 44, and its schools in proportion. In the unfortunate year of 1840, a change took place. Transportation, which hitherto had been extended to New South Wales, was stopped, and the whole body of convicts was concentrated in Van Diemen's Land alone. The effect of such a policy, one would imagine, would have struck the commonest mind; but for a statesman to have adopted it must ever reflect discredit on his judgment and foresight. The concentration system having been introduced in 1840, there came in 1842 that most noxious and condemnable probationary system, also the work of Lord Stanley. The convicts were first sent to Norfolk Island, and having there contracted every species of moral pollution, they were afterwards sent forth to disseminate it among the population of the ill-fated Colony of Van Diemen's Land. The results of this system were just what might have been expected. The statements he had been furnished with of the moral consequences of this concentration system were such as he should not be justified in reading to the House. They were abominable, unutterable, and worse than fancy ever feigned, or fear conceived. In discharge of the melancholy duty which had devolved upon him, he must read a few of the communications he had received. The petition which he had presented set forth—that the petitioners were in a constant state of dread and anxiety for themselves and their families, owing to the number of convicts by whom they were surrounded. They felt they had no security for life or property, and that the moral condition of the Colony was daily becoming worse. No Government, however able, could counteract the evils of this mass of criminals. If the present system of transportation continued, the petitioners stated that they must, at whatever sacrifice, abandon a Colony which would become unfit for any man to inhabit who regarded the highest interests of himself and of his children. He had received a communication from a gentleman who went out under the auspices of the Government itself, and who made the following statement:—

"I brought out to this place (Van Diemen's Land), when I returned to it from England, upwards of eighty criminals, who had been under the excellent system pursued at Parkhurst for two or more years. The voyage was, with few exceptions, delightful to me, in the promise it gave of the well-doing of these boys; but before a year was over their head, scarcely half a dozen out of the fifty-two who were retained here (the others were sent to New Zealand) had not been under punishment."

He had also a letter from the Bishop of Tasmania, who observed—

"It is cheering in the midst of the horrible moral and spiritual evils that surround us, to find that there are highminded and commanding spirits who sympathize with us. There is yet hope that with God's blessing our evils will be at least ameliorated, cured they cannot be in this generation."

Such were some of the dreadful evils resulting from the system of transporting convicts to Van Diemen's Land. The petition to which he had referred bore the signatures of one bishop, six members of council, and thirty-nine magistrates. He had been informed that so great was the insecurity in this Colony, that gangs of men went armed about the country. The hon. Gentleman was here interrupted by

MR. HUDSON, who moved that the House be counted, and only twenty-seven Members being present,

The House adjourned to Thursday.

HOUSE OF LORDS,

Thursday, May 28, 1846.

MINUTES.] PUBLIC BILLS.—1ª. Superintendent of Convicts; Saint Asaph and Bangor and Manchester Dioceses; Commons Inclosure Act Amendment.

2ª. Explosive Substances; Corn Importation.

PETITIONS PRESENTED. From Sping, and several other places, against the proposed Union of St. Asaph and Bangor, but in favour of the Appointment of a Bishop to the See of Manchester.—From the City of London, and several other places, in favour of the Corn Laws.—From Manchester, and other places, in favour of the Customs Duties Bill and Corn Importation Bill.—From Lexden, and other places, against the Corn Importation Bill.—From St. Austell, in favour of Free Trade.—From Noblemen and others of Haddington, in favour of the Corn Importation Bill.

CORN IMPORTATION BILL—ADJOURNED DEBATE (THIRD NIGHT).

The EARL of DALHOUSIE presented a petition in favour of the Bill from merchants, bankers, and traders of the city

of London. It was signed by 24 directors of the Bank of England, 19 bankers, and 217 merchants and traders. As it was a petition of the merchants of London in 1820 which very much led to the adoption of that system of commercial policy that had since proceeded step by step, so he hoped their petition this Session would be an inducement to the House to carry that system into full effect.

Lord ASHBURTON felt sure that a petition could easily be procured from the city as respectably signed against the pending measure, as fraught with great danger to commerce as well as agriculture.

Lord BROUGHAM thought that, if so, the city must have strangely changed its opinions since his noble Friend presented the memorable petition against the Corn Laws in 1815.

Lord MONTEAGLE invited the noble Lord (Lord Ashburton) to procure such a petition as he had spoken of, and let it be compared with this in signatures and in allegations.

The Duke of RICHMOND would like to know how many of these merchants had got bonded corn?

Lord BROUGHAM said, that that was a very ingenious observation in the form of a question, but he never heard of such a question being asked when a similar petition was presented in 1820.

Lord ASHBURTON observed, that the petition to which the noble and learned Lord referred was not a petition of the same sort as the present. That was a petition in favour of a general relaxation of the immense trammels and restrictions which at that time pressed upon trade; but the present petition prayed that the whole of the protection, as respected corn, might be swept away, and had no reference to any other matter of commerce. Unquestionably, names of great respectability were attached to the present petition; but he doubted whether the signatures comprised the majority of the most considerable merchants in London.

Lord BROUGHAM was not aware that corn was excepted from the petition of 1820.

Earl GREY said, that the subject before the House had been both in and out of Parliament—in speeches and in pamphlets—so long and so fully discussed, that their Lordships might be of opinion that no new argument could be now brought forward, and they were anxious, therefore, to bring the debate to a close; and were it not that he had for many years taken a deep interest and an active part in the discussion of the question, he would have stood aloof in this, probably the last, battle to be fought betwixt free trade and monopoly. One of the reasons, however, which influenced him in rising was the feeling that a great impression had been made on their Lordships by the speech which they had listened to on the first night of the debate, from the noble Lord the late Secretary for the Colonies, whose absence, from what he heard of the unfortunate cause of it, he very greatly lamented. He had listened to the speech in question with as much attention and delight as any of their Lordships. His arguments were put with so much skill, and clothed in language of such extreme beauty, that for upwards of three hours he rivetted the attention of every noble Lord who listened to him, and made listening to him —very different to what listening to many others was—not a labour but a delight. He (Earl Grey) knew that some of the arguments in that speech had already been answered, especially by the noble and learned Lord who had followed him in debate, and by his noble Friend who now sat behind him. But it seemed to him that there were still portions of that speech to which it was requisite that their Lordships' attention should be particularly called. He was not vain or presumptuous enough to suppose that he was fitted to enter into the lists with his noble Friend; but he had such confidence in the power of truth that he believed that even to his (Earl Grey's) feeble hands the cause which he advocated might be sufficiently recommended to their Lordships, and that he should be able to show to the satisfaction of the House that in some most important points of his noble Friend's speech, his noble Friend was mistaken. Through the whole course of the debate it had struck him very forcibly that noble Lords opposite had avoided an explicit avowal of that which he took to be the main object and aim of the Corn Laws—not of this Corn Law only, but of every preceding Corn Law. He thought it was clear that the real aim of those laws, and the object really intended by them, was to secure what was called a remunerating price for corn, or, in other words, to raise the price of food for the people by artificially restricting the supply. If, as he ventured to submit to their Lordships it was, this was the real object of all these laws, it was one which required strong arguments to prove its expediency; and unless

some very cogent reasons could be advanced for it, they must naturally and instinctively conclude that it was not scarcity and dearth, but plenty and cheapness in the food of the people which was to be desired. But although the proof of the necessity of raising the price of corn lay, as he thought, at the root of the matter, he must say that throughout all the speeches which their Lordships had heard in opposition to this Bill, it must have struck them that the opponents of the measure had to a great extent evaded this point. There had been an attempt made to show that upon other and different grounds protection was necessary; and, in particular, most of the noble Lords who opposed the Bill had told the House that the great object of the Corn Laws was really to secure a certain supply, and to save the Empire from the great danger of depending on foreign nations for a supply of the most necessary article of national subsistence. Without meaning any offence, he hoped he might be permitted to say that it was unfortunately out of his power to regard this as anything more than a colourable argument. Let him ask their Lordships what they would say, supposing similar arguments under similar circumstances were urged by others? Would those noble Lords who now defended the Corn Laws give implicit credit to such arguments? He would suppose, for instance, that the cotton manufacturers of this country, instead of manufacturing for the whole world, manufactured for this country only, and that these cotton goods were higher in price than those produced in other parts of the world. He would suppose, also, that foreign cotton manufactures were virtually excluded by high protecting duties. Now, if the cotton manufacturers of this country were to come to their Lordships' House under such circumstances, and say, "Oh, do not repeal these duties, do not make this country dependant on France and other foreign nations, or in the event of a war the population will be left without shirts and without gowns," he wanted to know whether their Lordships would feel perfectly convinced that it was their disinterested alarm for the welfare of the consumers of cotton in this country which induced them to clamour for a continuance of high protecting duties? Would their Lordships consider that these representations were made out of a just regard to the interests of the consumer? He must say, therefore, that he was a little incredulous that that which had excited so much enthusiasm at the protectionist meetings, and had attracted such crowds to Willis's Rooms that the noble Dukes on the cross benches had been obliged to divide their forces, was a real apprehension entertained out of regard to the consumer, that at some future time our supplies from abroad might fail, and that, as a consequence of that failure, the prices of food in this country might rise to an extravagant height. He could not help suspecting that it was rather an apprehension of having too much corn now, and too low prices at the present time, than of having at some future time too little corn, and that corn too dear. Taking the latter apprehension, however, to exist *bonâ fide* in the minds of those who opposed the present measure, the groundlessness of the fear had been completely established by his noble and learned Friend (Lord Brougham). His noble and learned Friend's reference to the undoubted fact, that Napoleon, in the height of his power, was not able to prevent the corn which was wanted in this country from coming into it, was conclusive on the subject. If they wanted further proof, he would refer their Lordships to what had been said by his noble Friend the late Secretary for the Colonies. His noble Friend had contended, that it was one of the boldest and most laughable paradoxes ever palmed off for wisdom on the credulity of mankind, to maintain that competition was the cause of certain articles rising in price. He (Earl Grey), on the other hand, maintained that it was such a paradox to assert that security for a certain and cheap supply of corn was not to be found in extending as widely as possible the sources from which supplies could be obtained, and by sweeping away artificial restrictions. Utterly rejecting, then, as he did, the notion that this law was to be maintained, if it was to be maintained, for any other purpose than restricting the supply and enhancing the price of corn, he would ask if this was a fair and legitimate object? What was the effect of so raising the price of corn? It had been well shown by his noble Friend behind him, that, on the very calculations of those noble Lords who were opposed to the Bill now before the House, in reference to the amount which prices were expected to fall, and to the amount of consumption, that the existing Corn Laws could not be considered as laying a smaller tax on the consumers than 10,000,000*l.* sterling — a tax double the amount of the income tax, double the malt

tax—a tax, not for the purposes of the State, for not one farthing of it went into the Exchequer, but a tax for the benefit—not the real, but imaginary benefit—of a class. He said the imaginary interests of a class, because he really believed that the landlords themselves shared greatly in the evils which the existence of a Corn Law produced. Their Lordships had been told, however, that this statement was an unfair representation of the fact; and that, admitting that the price of corn was raised by a Corn Law, and admitting also that the payment of a higher price for food would in itself be a burden to the working classes, still they were not really injured by the protection which was given to agriculture, because the effect of the existing law was to keep up the wages of labour in the same proportion as it raised the price of corn. This was the great argument used by his noble Friend who spoke on Monday night (Lord Stanley). Now, it was clear that in the first instance, at all events, an increase in the price of food was a considerable tax on the working population, a large proportion of whose income was necessarily expended upon it; and, therefore, before they determined to maintain the law on the ground that the labouring classes were compensated for this tax by a corresponding rise in their wages, they ought to be very sure that this was the fact. This point, however, which lay at the root of the matter, was very lightly passed over by his noble Friend; but he argued on the assumption that if the price of corn was permanently low, the competition of labourers would soon bring down wages in the same proportion, and that they would, therefore, be no gainers by the reduction of price. This was a very easy way of disposing of the question, but it was far from satisfactory to him (Earl Grey); and the less so, because his noble Friend made some admissions which, in his opinion, led to a conclusion exactly the reverse of that drawn by the noble Lord. His noble Friend admitted that, year by year, wages did not vary by any means in proportion with the price of corn; that in abundant years, wages did not fall in the same degree with corn; and that, therefore, in such years the labourer was very well off. But the noble Lord said that, on the other hand, in dear years the rise of wages was not immediately consequent on the rise of corn, and that, in such seasons, therefore, the working man was exposed, at least for a time, to a considerable pressure. The experience, however, they had had within the last few years, was perfectly decisive on the subject. If they compared the state of things in this country during years of plenty and years of scarcity, what was the result? Let them compare the condition of the country in 1833, 1834, and 1835, when wheat was low, with what it was in 1839, 1840, and 1841, when wheat was scarce, and consequently dear. In the first triennial period trade was good, there was a great demand for labour, and wages were very high; but in the last three years trade was depressed, there was no demand for labour, wages consequently fell, and numbers of the working population were unable to obtain employment. The condition of the country at that time was too recent, and made too great an impression, to require him to dwell upon it. There could be no doubt that the difficulties experienced in these bad years could be easily accounted for. When corn rose to the very high price it then attained, every family throughout the kingdom was compelled to expend a much larger portion of its income than it had done previously in the purchase of food. There was, of course, less available income left for other purposes; there was less demand for clothing, for tea, or sugar—articles which were paid for by our manufactures; the trade of our manufacturers, merchants, and small shopkeepers fell off, and there was a general diminution in their power of affording employment to labour, and a general diminution in the power of production. His noble Friend admitted that this was the effect of high prices for a short period; but what possible reason could there be for believing that if high prices became permanent, this effect would not continue? He (Earl Grey) believed that the permanent effect of high prices, like their temporary effect, would be, to render a smaller proportion of the national income available for general purposes, producing a reduced demand for labour, and a consequent diminution of the rate of wages; while, on the other hand, the permanent effect of low prices would be, to create a greater demand for labour, to afford ample reward to industry, to enable the population to extend their consumption to other articles besides food, and to render the country flourishing and prosperous. This was the conclusion which he thought they had a right to infer from simple reasoning; but the correctness of that reasoning was borne out by the fact, that when

their Lordships looked to other countries, where there was permanent plenty and a low price of food, unless there were some counteracting circumstances, wages were invariably high. A noble Earl who had spoken on the other side had admitted this fact; for he said, that wages were not regulated by the price of food, because, although in America and Australia, where food was cheap, wages were high, yet in Poland, where food was also cheap, wages were low. Poland, however, was not a fair instance to cite, as that country was kept down by misgovernment, and the unhappy social condition of its population; but he would challenge the noble Earl to mention any country in the world, beginning from Canada to Australia, where there was a small population in proportion to the extent of territory, and where food was cheap, and good order and good government prevailed, where wages were not also exceedingly high. He (Earl Grey) further contended that the reason why wages were thus high was simply on account of the abundance of food, and the consequent existence of an extensive field for the profitable employment of labour; for in such countries there was a competition on the part of employers to obtain labour, whereas in fully peopled countries like our own the competition was among the labourers to obtain employment. The effect of laws restricting the introduction of food was to increase the disadvantages under which a fully-peopled country necessarily laboured, compared with a new and thinly-peopled country; for such laws prevented that natural exchange by which a larger supply of food might be obtained in old and thickly-peopled countries. He knew that this argument had been, to a certain degree, met in anticipation by his noble Friend, who had told them that those nations from whom we expected to obtain a supply of corn would not receive our manufactures in return. This fallacy had been so clearly exposed by his noble Friend (the Earl of Clarendon) by an appeal to facts, as well as by argument, that he (Earl Grey) would not trouble their Lordships on the point. It was, however, clear to his mind, that the Corn Laws inflicted a double disadvantage upon the labouring classes; for, so far from the high price of corn entailed by the Corn Laws being counterbalanced by an increase of their wages, those laws, while they enhanced the price of food, depressed the wages by which that food was to be purchased. If he was right in this opinion, if such was really the effect of the Corn Law upon the condition of the labourer, that one fact ought to be conclusive, without any further argument on this question; and, as a Christian Legislature, if they were once satisfied of that fact, no consideration ought to prevent them from at once sweeping away the existing restrictions. When he looked at the condition to which the labouring classes had been reduced in some parts of the country, when he saw descriptions of the frightful condition of the agricultural labourers in Dorsetshire, Wiltshire, and others of the southern counties, when he was aware that even in those districts where their lot was most favoured their position was far below what was to be desired—and when he was at the same time satisfied that the effect of the system of protection maintained by the Corn Laws was at once to depress wages and to raise the price of food, it seemed to him scarcely necessary to argue the question further. Taking what he assumed to be the case as true, he warned those noble Lords who had come down to the House with elaborate statements, to show that, under the proposed alteration, enormous quantities of corn at a very low price would be introduced into this country, to beware that they did not create a needless and a serious panic. But if those noble Lords were right (though he believed them to be entirely wrong), and if they could prove that the price of corn would fall to the extent they predicted, what was the inference? It was this—that the injustice done to the labourer, by artifically enhancing the price of food by Act of Parliament, was much greater than had been hitherto believed, and that there was the more pressing necessity for a repeal of the present Corn Law. While he stated this, however, he must at the same time say, that he thought it would be a very great evil if any panic should be created on this subject. They knew that, in 1842, those who called themselves the farmers' friends inflicted most serious injury upon those farmers who were simple enough to rely upon their predictions as to the probable effects of the Tariff. The farmers who were gulled by the prophecies of those individuals as to the fall which was to take place in the price of meat and other articles, and who rushed into the market and sold their stocks at a great sacrifice, very soon found out their mistake; and he believed the country was at this moment suffering in some degree from the effects of

the preposterous and absurd panic which was then excited. He hoped no similar panic would be created on this occasion; and he was happy to say that he did not at present see any symptoms of such an event. He was glad to find, from all the information he had received, that land never let or sold on better terms than now, and that the spirit of agricultural improvement was never more actively at work. He believed that the demand for draining tiles was at this moment particularly active; and so great was the desire to use them, that, when a kiln of draining tiles was known to be ready, there was quite a competition among the farmers of the neighbourhood to obtain them. He thought that in this the farmers and occupiers of land showed much judgment. He believed that all the calculations which had been made of the price at which corn could be sold in this country, if protection were taken away, were made without proper data. While upon this point, he could not help adverting to a statement made by his noble Friend (Lord Stanley) who spoke on Monday night, and which had been furnished to his noble Friend by a high practical authority. His noble Friend told the House that there were at that moment two cargoes of wheat at Liverpool, which his correspondent had purchased at Dantzic, and which, including freight to this country, had cost only 23*s.* 6*d.* a quarter. Now, as this statement seemed to him to be a specimen of those which had been made upon this part of the question, he would read a short extract from a letter which he had received from Liverpool, from a gentleman engaged in the corn trade, with whom he was unacquainted, but who described himself as well knowing the circumstances of the case; it was as follows :—

"It is perfectly true that Lord Stanley's correspondent holds two cargoes of wheat, imported from the Danube, which cost him the price named in his letter. The natural inference is, that wheat can be shipped from the Danube at 14*s.* per quarter, free on board. Nothing, however, could be more fallacious. The cargoes in question were ordered in 1844 from Ibrail by a house in Manchester, by whom they were sold at a loss of 10*s.* per quarter. The original cost was about 33*s.* per quarter, including freight; but (thanks to the glorious uncertainty of the sliding-scale) they were too late to be released at the lowest point of duty in that year, and were sold to the said gentleman at 23*s.* 6*d.* Now, to adduce this as any evidence of the shipping prices of wheat is equally absurd and unfair. As well might railway shares, selling at 50 per cent discount, be adduced to indicate cheapness of construction. As regards Hungary, and other countries contiguous to the Mediterranean, Lord Stanley's ideas of their capabilities of supply are a mere chimera. . . . Under 35*s.* per quarter, free on board, for middling qualities of wheat, I venture to say we shall get no additional supply of any magnitude from that quarter. Freights thence, too, are nearly double, compared with freights from the Baltic. To return to Lord Stanley's correspondent, I may mention that he actually bought yesterday a cargo of red Wismar wheat, just arrived, at about 45*s.* per quarter, which, allowing 10*s.* for duty, charges, and profit, would make it stand 55*s.* per quarter free. This, at all events, proves he has no great practical fears of the effects of the new measure, however potent his theoretical may be. Lord Stanley wished to make it appear that wheat could be imported from the Danube at 14*s.* per quarter; the present price is 25*s.*, which may appear low enough; but it is wheat of the most inferior description, mixed with rye and black seeds, and not within 15*s.* per quarter of the value of good Dantzic wheat, besides which it often arrives so heated as to be unfit for bread."

It appeared, therefore, that taking into consideration the risk of heating, and the quality of the corn, wheat could not be brought into this country and sold at a lower price than that which British wheat now bore in the market. He thought that the result of former predictions of the same kind ought to teach those who were interested in the land how little reliance ought to be placed in such predictions. He would take, for instance, the case of wool. His noble Friend had said that wool was a strong case in point, and that as the price of that article was very much relied on by the free traders, he would show how the price had been affected by the reduction of the duty. His noble Friend then took the prices of wool in the years immediately preceding the removal of the duty, and the prices of wool in the years immediately subsequent, and endeavoured in this way to show what had been the effect of the repeal of the duty. But what were the real facts of the case? The duty on wool was reduced just at the time of the panic in 1825. After that time the trade and commerce of the country declined considerably, and the price of wool went down like the price of other articles. For some years the price remained low; and he remembered that in 1828 there was a Committee of that House moved for to consider this subject by his noble Friend the noble Duke (the Duke of Richmond) who sat on the cross benches. A great number of farmers were brought before that Committee to show that wool was then at a ruinously low price. These parties proved, with great minuteness and detail, what advantages the foreign producer of wool had

over the home grower; and they stated that the low prices which had already been experienced were nothing to what was coming, and that when there was free trade in wool, prices would fall to a ruinous extent. That bales upon bales of foreign wool would inevitably be introduced into the markets of this country at so low a price as to preclude the competition of the British manufacturer. It was said that wool was of infinitely less bulk than corn, and that it could, therefore, be the more readily and cheaply conveyed from great distances. Parliament was wise enough not to listen to those apprehensions; and what was the result of that wisdom? The result was that in one or two years after the alteration was carried into effect, wool recovered, the price rose, the manufacture improved; and from that moment to the present wool was one of the most remunerating articles of agricultural production. The noble Duke (the Duke of Richmond), he perceived, shook his head at that statement; but he would remind the noble Duke that, although a good deal of wool was produced in Sussex, yet there was also a great deal of wool produced in Northumberland, so that he (Earl Grey) had an excellent opportunity of becoming acquainted with the facts of this case; and he could state that from 1828 up to this time wool had maintained a remunerating price, and was higher than it had been before the removal of the duty. If, then, the predictions as to the loss which was to result from a free competition in the case of wool, had not turned out to be true, were they not justified in supposing that the predictions as regarded the probable effects of the proposed change in the Corn Laws would be equally fallacious? When the Tariff was under consideration, the greatest possible apprehensions were entertained by some as to the effect which the permission to introduce foreign cattle was calculated to produce upon the price of corn. It was stated, that if stock were allowed to come in from foreign countries free from duty, the effect of such an alteration would be virtually to repeal the Corn Laws, for the same agricultural produce which could be produced cheaply in foreign countries could be sent into this country in the more portable shape of fat sheep and fat oxen. That argument would be very forcible and well-founded if corn could in reality be produced so cheaply in foreign countries as those who relied on the argument presumed. If such were the case, cheap agricultural produce could indeed be introduced in the more portable shape of fat sheep and oxen. They all knew that the apprehension as to the effect of the reduction of duty on stock, as regarded agricultural produce, was quite fallacious, and had now altogether passed away. His noble Friend (Lord Stanley), in his speech on Monday night, dwelt very forcibly upon the argument which had been used by some, that the present high price of cattle was owing to the Tariff; and he (Earl Grey) must remark that notwithstanding the fears which were entertained, four years' experience of the Tariff had altogether disproved the assertion that the introduction of foreign cattle would have the effect of lowering the price of cattle the produce of our own country. If it were capable of producing any such tendency, it might have produced it at the end of four years at least to some extent; and yet within the last year the supply of cattle from abroad was not sufficient to check the tendency to a rise in price which prevailed in our own markets; whilst the few thousand head of cattle exported from Germany had produced a sensible effect upon the markets of that country, so that in many of the German towns the price of fat stock was within a small degree as high as in this country. Similar apprehensions had been indulged in with respect to the reduction of the duty upon flax; and, in fact, upon all the important articles of agricultural produce which were included in the Tariff. But although flax was more valuable in proportion to its bulk than corn, yet subsequent experience had proved that the British growers of flax had no just cause of fear from foreign competition. His noble Friend (Lord Stanley) had asked those who were in favour of the removal of restriction on the importation of corn, what advantage would come of it if, as they stated, it would not considerably reduce the price of bread? His noble Friend thought on that occasion that he had reduced the advocates of free trade in corn to a dilemma from which they could not escape. It seemed rather a probable argument in the beginning; but if they looked closely to it, what became of it? It was quite fallacious. For his part, he (Earl Grey) did not assert that there would be a great fall in the price of corn, and he was one of the advocates for the removal of restriction; but he did not believe we should see the weekly average of wheat down to 36*s.* per quarter, as they all had

witnessed in the last week of December, 1835, nor did he think it would reach so high a price as 81*s.* 6*d.*, which corn had reached, as their Lordships would recollect, in the week ending the 11th of January, 1839. But this he expected, that whilst neither that high price or that low price would be the natural result of the alteration in the law, an average price would be produced by it, but not greatly lower than the average of the last twelve years, and that the price of corn would invariably fluctuate within narrower limits than it did under the present system. The fact of its fluctuating less would be in itself a most important advantage; for it would be admitted on all hands that great benefit would arise from a more steady price. One of the greatest advantages which a civilized country could possess over barbarous countries was its power of preventing those great variations in supply which barbarous countries were apt to suffer from; the latter having at one time a superabundant supply of the necessaries of life, and suffering the utmost distress at another period from a deficient supply of food. Civilized countries, by the natural operations of commerce, enjoyed very great advantages as regarded the steadiness of supply. By those natural operations of commerce, mercantile men, for their own interest, would buy corn in cheap years for the purpose of selling it in dear years; and according to this beautiful system, if it were not interfered with by law, the prices would be to a great extent regulated, the alternations would be checked, and the suffering which must result from an insufficient supply would be removed without injury to any class. The wholesome operation of this system we had prevented by our own interference, by the operation of an artificial law. It appeared from evidence before the Agricultural Committee of 1836, that at a former period, when a different state of the law rendered dealing in corn less hazardous than it was at present, there was usually in this country a stock on hand of six months' consumption; but such had been the effect of the law of 1815 in rendering the corn trade hazardous, that the usual stock on hand now, at the same period of the year, was a fortnight's consumption. What had caused that? It was caused by a law which rendered the trade in corn a sort of gambling transaction. His noble Friend had stated that some of the agricultural distress which was complained of under the operation of a system of protection, was to be referred to abundant crops in particular years, and the consequent effect upon prices. Why was it that farmers had exerted themselves to such an extent as to exceed the demand that would be profitable? It was because high prices had been artificially stimulated, and excess of consumption thus became a cause of agricultural distress. So long as the country depended on its own supply, there must be a chance of agricultural distress; but if the supply were more regular —if a steady trade were established in corn, then, in cheap years, the freight of corn from foreign ports would be much higher in comparison to the price of corn than it would in dearer years; and, therefore, there being less inducement to export corn from foreign ports in those years, there would be the greater inducement in the home market to take our home produce instead of foreign corn, so that under such a system the farmer would be compensated for the fall in price by the greater sale of corn than usual; for he (Earl Grey) would not go the length of saying that corn would not be cheap in years of abundance, even after this measure was carried. Another advantage, and one of, in fact, incalculable importance, would be, that there would be an immense increase in the consumption of corn on the part of the people of this country; for no one would, he was sure, deny that a portion of our population consume at present much less corn than it was desirable that they should consume. Every one would admit that the labourers of Wiltshire and Dorsetshire, who at present consume more potatoes and less bread than it was desirable they should consume, would be benefited by being enabled to consume a greater quantity of food than they consumed under the existing law. He knew that one Gentleman, who advocated the Corn Laws, had stated that millions "rejoiced in potatoes;" but he (Earl Grey) was of opinion, notwithstanding that statement, that those millions would rejoice far more in a food consisting more of bread, and less of inferior articles of consumption than that which they can under existing circumstances obtain. He had described some of the advantages which were to be expected from a free trade in corn. A steady trade, which it was calculated to produce, would secure constant employment to the manufacturer; and those engaged in manufactures would thus become greater consumers of corn and cattle than they were at present. And what would be

the effect of that increased consumption of articles of agricultural produce? The effect would be, that an impulse would be given to the farmers to produce more cattle than they did now; and he need not tell their Lordships that the foundation of every attempt to improve agriculture was to enable the farmer to keep a larger amount of stock, and that if the farmer had encouragement to keep more stock, he could produce corn cheaper. The direct effect, therefore, of this increased demand would be to cause agricultural improvement; and he believed that agriculture—which might now be regarded as almost in its infancy—would, under these improved and favourable circumstances, advance with a rapidity of which they had now but little notion. This was one of the advantages which he anticipated from the proposed alteration in the law; and it was an advantage which, he was convinced, could be obtained without any sweeping away of tenantry, such as had been described by the noble Duke (the Duke of Richmond) on Monday. He (Earl Grey) should be as sorry as the noble Duke to witness any such sweeping change in the tenantry of the country as the noble Duke anticipated from this measure, if carried into effect; but he felt that no such change would be required, for the farmers were disposed to improve the cultivation, and, as his noble Friend had remarked, the effect of foreign competition could only be felt by degrees. The cultivation could, therefore, be improved and extended to meet that foreign competition. His noble Friend had said that some time would elapse before the foreign competition could come into effect; but he (Earl Grey) thought it rather an advantage that the progress of the competition should be gradual, and that the increased cultivation abroad for this market should be accompanied by an increased cultivation at home—a cultivation which would have all the benefit of the skill and energy of our farmers. Amongst the causes which would operate to improve our agriculture, he would mention a change in the law to facilitate the conveyance of landed property, as one that was calculated to do a great amount of good if carried into effect; for under it capital, for the purpose of improving land, could be raised as readily upon land as upon a bale of cotton, or a cargo of wine. Under those circumstances, he was of opinion that the removal of protection would afford the strongest possible encouragement to improved farming, and increased production; and their Lordships were all aware, from their acquaintance with the subject of the cultivation of land, that improved farming implied more employment to labour—that by higher farming the employment of more hands on the land, and their employment more continuously, were necessarily implied. Part of the evidence before a Committee moved for by a noble Friend of his, was to the effect that the farmers in the south of England were obliged, in order to keep down the poor rates, to employ more hands on their land than under other circumstances they would be inclined to do; but he (Lord Grey) would undertake to say, that there was no farm in England on which every man now employed—ay, and more than were now employed—might not be employed with profit and advantage, with a better demand for agricultural produce. [A Noble Lord: This increased employment would require increased capital.] All that was required in order to make capital flow towards the improvement of the land was to remove the uncertainty caused by the present system of protection. It appeared to him that any one who soberly and deliberately considered the subject, would see that the effect of the measure now before them would not be to throw land in this country out of cultivation. He was so far from supposing the effect of the measure would be to throw land out of cultivation, that he thought they might date a new progress in the cultivation of land from the removal of protection. Another anticipation which had been indulged in as regarded the probable effects of the measure was a fall of rent, and that too was an anticipation which he did not expect to see realized. What was it, he would ask, to which they owed the value of landed property in this country? There was infinitely better land than 90 out of every 100 portions of this country in the prairies and wilds of America, which might be bought for 2*s.* 6*d.* an acre; and what was it which made our land, that was so much less fertile, so much superior in value to that land in America? It was the existence in this country of a large, an industrious, and a rich population. That and that only it was which gave value to the landed property in this country; and it was only consistent with common reason to suppose that anything which went to increase the national wealth, and develop the national industry, and increase the pros-

perity of the realm, would also increase the value of landed property. His noble Friend (Lord Stanley), in his speech on Monday night, adduced the case of Ireland, which being an exporting instead of an importing country, would necessarily suffer a great deal from the proposed measure. So far from this, he (Earl Grey) could show their Lordships that no part of the United Kingdom would gain so largely from the passing of this law as the sister kingdom; but he had already gone so largely into the question, that he would not enter upon the subject of its probable effect upon Ireland at that stage of the Bill. He would now direct the attention of their Lordships to another point, which had been dwelt upon very forcibly by his noble Friend on Thursday night. The noble Lord produced a great impression on the House by describing the effect which this measure would be likely to create upon the condition of our Colonies and upon our interests as connected with the maintenance of our colonial possessions. That was a subject of very great importance; and he (Earl Grey) was so impressed with the high value which ought to be laid on the preservation of our colonial empire, that he would admit that if this law would shake the security of that empire, or its connexion with the mother country, it would deserve the gravest consideration before that House should assent to it. He, however, entertained unhesitatingly the conviction that, so far from being a disadvantage to the Colonies—so far from having a tendency to weaken the ties which unite them to us, the adoption, in the largest sense, and in the most complete manner, of the principles of commercial freedom, was the policy, of all others, which was best calculated to strengthen those ties. His noble Friend had asked, if the colonists were told that they were no more to the country than Frenchmen or Dutchmen, what inducement they would have to wish to be united with this country? To that he (Earl Grey) would answer, that his noble Friend should recollect that, by this measure, it was not proposed to apply the principle of the removal of restriction to the Colonies exclusively, but it was intended to apply to them a principle which we proposed to apply to ourselves. Would any one say that Cumberland and Yorkshire would be treated badly by this measure, because we did not leave them a protecting duty? If our own counties, then, were to be treated in the same manner by this Bill as the Colonies, then the Colonies had no reason to complain. He could understand how some persons in the old country, where there was a great competition for employment, could be induced to take a shortsighted view of the subject, and thus he eonld perceive how it was that many persons had been induced to form the opinion that protection was an advantage, and that it was not wise to let in foreign goods to compete with our home market; but with respect to the Colonies there was no such difficulty as that competition for employment. On the contrary, in every one of our own Colonies, the great difficulty was to find sufficient labour to develop fully its natural resources; and if the effect of the proposed system should be to divert labour in the Colonies to its natural and most productive channels, instead of to artificial and unproductive channels, there could be no doubt that it would be an advantage to them. Could any one doubt that Canada was poorer now than she would have been if there never had been a protective duty in favour of her timber? If, instead of letting into our markets bad timber, when we could have had good, we had never adopted that system, Canada would be better off; and the same principle would apply to all our Colonies. The Colonies had received no advantage from protecting duties, whilst in many cases those duties had been directly injurious to them. The West Indies had suffered from not having been allowed to get the various supplies they required in the cheapest market, or to send their supplies in the cheapest form to this country. They gained nothing by protection; and as regarded the effect of commercial dependence in strengthening the ties between the Colonies and this country, he would put it to their Lordships whether the system of commercial dependence had in reality strengthened the ties between the Colonies and the mother country. Did they not all know that jealousy, arising from that commercial dependence, had produced that American war which ended in the loss of those extensive Colonies to the Crown of this country? He need not point out how infinitely for the welfare both of the United States and ourselves it would have been that that fatal dispute had not arisen; he did not say that in their present state of importance those States would have been kept in dependence to the British Crown; but they might have parted from us in a different manner, and without leaving any feeling of jealousy

towards the mother country, if it had not been for that commercial dependence. He was rather surprised, he must own, that his noble Friend, in the course of his speech, should have ventured to touch on the Colonies for an illustration; for he thought that the principle with respect to trade which he had adopted towards the Colonies was not, to say the least of it, very fortunate. Under that policy the corn of Canada was allowed to come into this country at a nominal duty, whilst that advantage was not given to Australia or to any other Colony. That advantage had been given in Canada almost avowedly because it had been recently in a state of rebellion; but it was refused to those which had been always obedient and loyal; and he (Earl Grey) thought that such a course of policy was calculated to excite a spirit of disaffection. His noble Friend asked, if we were to have no advantage in the markets of the Colonies, of what use were they to us? they would not be worth the expense of keeping up military and other establishments for their protection. He would be permitted to say that such a mode of argument was rather defective. It was those who defended protection who were to prove that it was good; but how did they prove it? They said that if we did not keep up protection we would lose the Colonies; and then they said we kept the Colonies by a protective duty; and they then turned round and said, if we did not keep up protection, of what use were the Colonies? That was a specimen of what was called arguing in a circle. For his part he believed that the connexion between the Colonies and the mother country was a mutual advantage, requiring no such support to maintain it. In our colonial empire we possessed friends and allies in every quarter of the globe—we had thus a large population in various parts of the world, possessing great natural resources, united heart and soul with us, ready to take part with us in all our conflicts, and to support us in all hostilities against a common enemy, and thus we maintained in each possession a garrison of the cheapest kind, whilst they enjoyed the inestimable advantages of being an integral part of the most powerful, and most enlightened, and most civilized nation upon the face of the earth. They gloried—and he knew that they felt it as a glory—in calling themselves British subjects, and in having their interests and rights protected by the power of this country, which was ready at any moment to be called forth to maintain their interests when it was required. That was a substantial advantage of the greatest service to the Colonies. He believed they were fully aware of it; and he believed that if they pursued a liberal policy in other respects towards the Colonies, by extending to them the dearest right of Englishmen, the privilege of self-government, and not needlessly interfering in their domestic concerns — that if they adopted a sound policy, politically as well as commercially, they would bind them to us with chains which no power on earth could break; and the connexion between them and the Parent State would continue until they far exceeded ourselves in population. His noble Friend had next proceeded to say how unjustly this measure would operate with regard to Canada, and had told their Lordships that this country had encouraged Canada to expend large sums of money in the improvement of their navigation, and that we had encouraged Canada to impose a duty on wheat from the United States. He said that this had been done on the faith of the Corn Law; and he asked would it not be unjust to the Canadians to alter that law on the faith of which they had acted? His noble Friend described the route for commerce by Canada, and through the United States; and after detailing the effects which he anticipated from this measure, he asked what chance would the Canadians have of competing with the United States if this measure were carried? The noble Lord continued: "Now I want to know what are the feelings of the Canadians themselves upon the subject, for surely that is an important point." ("Hear, hear!") My noble Friend says "Hear, hear!" Now I hold in my hand a newspaper containing a report of the debates in the Canadian Assembly, which I will presently read. Her Majesty's Government, when they determined on repealing the existing Corn Laws, addressed a communication to the Canadian Legislature, saying that they were at liberty to repeal the duty of 3*s*. a quarter on American wheat, which at our instigation they had imposed. Accordingly a measure for the repeal of that duty was submitted to the Canadian Senate, on which occasion it happened that a Motion for reporting progress was carried, and that was assumed to be a declaration on the part of the Canadian House of Assembly,

that they were altogether hostile to the measures of the Government. What, however, was the fact? It seems that that Amendment was carried, almost under a misapprehension, from the parties not exactly understanding the effect of the vote; for a few days afterwards, when the consideration of the subject was resumed, and a vote was to be taken, the result was very different, for a measure was agreed to for repealing the duty on American corn. He had read the speeches on the subject, and instead of finding them characterized by a tone of despondency—instead of crying out against the injustice of this country—instead of lamenting the ruin to which they were to be liable, the utter destruction of their great public works, and of their commercial interests—he was happy to say that, by the majority of that Assembly, language far more manly and more creditable was held. They said, "As England will no longer give us protection, let us see if we can't do without it; and as the first step, let us repeal this duty on American corn. We can grow corn cheaper than America." One Gentleman says, that he has been over to Buffalo, and that he finds corn there always 3*d.* or 6*d.* per bushel dearer than he can afford to give in Upper Canada. Another said, "Our public works were never in a more promising state, and when they are completed we shall enter with great advantage into competition with America. The locks upon the Erie canal are much more numerous and more expensive in working than those upon the St. Lawrence. We can then not only carry our own corn, but the corn of the Western States through the St. Lawrence, cheaper than the Americans can carry it by the Erie canal." When they came to divide upon the question, he found those who were in favour of repealing the duty, who had no fear in the success of Canadian energy and Canadian enterprise, in opposition to America, were in a majority of 45 to 27. The resolutions were carried by that majority, and the Canadian Assembly determined on admitting American corn for passage through their country to England duty free. But his noble Friend said something more. His noble Friend said that this was treatment so unjust to the Canadians, that he thought it was calculated to shake their feeling of loyalty to the British Crown. He confessed he heard that language with great alarm and regret; because he thought he prophesied a diminution in the strength of those ties which now united the people of Canada to this country in such a manner as almost to imply that they would be justified in disregarding our claims upon their loyalty. But, in the same week in which the Canadian House of Assembly had been discussing the effect which the change of our commercial policy would produce, a Militia Bill was brought under their consideration, and with the permission of the House he read a passage from a Canadian newspaper, containing a summary of what passed on that occasion:—

"Dr. Taché made an admirable speech—temperate, argumentative, and well-timed. No appeal was made to party feeling, no attempt to enlist sectional prejudice. It was a speech which will raise the character of the hon. Gentleman immesurably in the opinion of all who heard him. It would be well for Canada if such addresses were more frequent—if measures of such importance were always taken up in the calm, deliberate manner that this has been, and with a disposition on both sides of the House in endeavouring to make a perfect measure. After stating the objections which he had to certain clauses, Dr. Taché concluded by suggesting that the Bill should be referred to a Special Committee.—Mr. Lafontaine followed, and treated the question in the same admirable spirit; he agreed in the suggestion of Dr. Taché, and hoped it would be complied with; he assured the Attorney General that every aid which could be given by that side of the House would be freely afforded to perfect a measure of such importance to the country.—Mr. Draper, after some remarks from other Members, moved to refer the Bill to a Select Committee, which was carried unanimously.—Thus the Bill, which has been looked upon as one over which the great battle of the Session was to be fought, has virtually passed through the House without an angry word. We congratulate the country on the event of last evening: the Members on the Opposition benches acted in a manner which did them honour, and entitles them to the thanks of the country. We feel convinced that the conduct of the French-Canadian Members has done very much to create a better feeling between them and their fellow colonists of British origin. No man who saw the demonstration of last evening could feel a doubt, that in case of need, they would be found shoulder to shoulder with the Anglo-Saxon in defence of our territory and the honour of the British Crown."

These are the effects of our commercial policy in weakening the ties between the two countries. The result, then, my Lords, of these considerations is in my mind sufficient to prove that the passing of the Bill now before your Lordships is imperatively required in justice to the great mass of the people of this country; whilst it also proves that by adopting that course we run no risk of inflicting the slightest injury on any interest, either colonial or domestic. He believed that none of the great interests of this Empire would be exposed

to the slightest risk by passing this Bill; but on the other hand, he believed that by rejecting it they would run serious hazards and incur great responsibilities. He would remind the noble Duke (the Duke of Richmond) that at an early part of the evening, when the petition of the Merchants of the City of London was presented by the noble Earl, he asked a very significant question, "How many of the signers of that petition are holders of bonded corn?" Did he not think that they all knew the inuendo conveyed by that question? But he would ask whether, if they rejected this Bill, his noble Friends' example would not lead those who thought themselves injured by this Bill to ask how many of their Lordships were owners of land? He did not believe that, consciously, any of their Lordships were actuated by personal motives; but after what had been said by his noble Friend, he believed that when they imputed to others interested motives, interested motives would in their turn be imputed to them. And he believed, though they were not themselves conscious of it, yet that unconsciously they were influenced in their decisions by the effect which they believed this Bill would have on the interests of the owners of land: it was not in human nature that it should be otherwise. And, though he admitted that the noble Duke was justified in putting the question which he did, yet he asked what effect would be produced on the public mind if their Lordships—an assembly of landowners—rejected this Bill, more especially after the manner in which it had come up to them from the Lower House? He trusted before their Lordships took a course which seemed to him so full of danger, that they would reflect a little on what the practical consequences of this measure would be. As men of judgment and experience, he was sure they would not act with the view of gratifying mere passion of temper; that they would not inquire into the changes of the Minister who had introduced it; but that they would consider, before rejecting this Bill, what practical advantages to themselves and to the nation would result from their adopting such a course. What were those supposed advantages? Did they believe that they could maintain permanently the existing Corn Law? Looking at the events of the last few years, he asked would any one of the three noble Dukes, now on the cross benches, say they believed it possible that by any combination of circumstances the existing Corn Law could be much longer maintained? ["Hear, hear!"] He thought his noble Friends stood nearly alone in that opinion. [Several noble LORDS: No, no.] He could only say that the noble Earl who spoke on Tuesday with great animation, and at great length on this subject, stated that he, for one, did not look to the permanent defeat of the proposed measure; he expected that some alteration of the Corn Laws would be carried; all he looked for was what he called giving the country "breathing time." If by giving the country "breathing time," it was meant that they should allow an interval for reflection, that an appeal should be made to the country, he confessed that that seemed to him one of the greatest misfortunes that could happen. A dissolution of Parliament at this exciting time—town arrayed against county—the angry passions that would be excited—the suspension of industry and trade—the absolute paralyzation of all the enterprise of the country that must exist during that mighty contest—were all these, the inevitable consequence of a dissolution, to be desired, if, after all, the result was still to be the passing of this Bill? The result, however, would not be precisely the same; for he believed the consequence would be the passing of a Bill for the immediate and entire repeal of all duties. But if they were not to look to maintaining permanently the existing Corn Law, he would ask the noble Lords whether they did really believe that by throwing out this Bill they could obtain anything of a compromise, on the principle of a fixed duty for example, which had been thought of? His noble Friend the other evening threw out many hints in order to catch the parties who were in favour of that measure, and his noble Friend said it would be inconsistent for those who had before supported a fixed duty to vote for the present Bill. He disagreed with his noble Friend; he had himself supported a fixed duty. When the measure of 1842 was introduced, he thought that a fixed duty would, on the whole, be the best settlement of the question that could then be proposed, and he then urged its adoption; but not with a view to protection, for he had uniformly, and on every occasion, objected to the whole principle of what is called protection. At that time, however, he thought that a moderate fixed duty was advisable for one reason, because he thought it would produce little perceptible effect on the price of corn, whilst it would afford a consider-

ble revenue; but chiefly he thought it advisable because he regarded it as a reasonable compromise, because he believed that it would give them, some years sooner than they could hope to obtain it by other means, the practical advantages which he anticipated from free trade, and that it would avert the great and most injurious struggle which he foresaw. But even at that time, when he was advocating a moderate fixed duty, he took the liberty of warning those Gentlemen who were then supporting the Government, that they were supporting a measure which must necessarily lead at no very distant day to entire free trade. He told them that if they desired a fixed duty, the days and hours when a fixed duty could be accepted were rapidly passing away—that they must close with the offer as it was made, for that if that measure were not quickly conceded, such a settlement would in his opinion be impracticable. That anticipation was correct. If they had adopted a moderate fixed duty in 1842, it would have been accepted by the country; but he was no less firmly persuaded that if Parliament were to pass such a measure now, the country would not be satisfied; agitation would still continue; and, as one deeply interested in land (for he could not attempt to conceal his personal interest in this question), there was nothing which he should so much deprecate as the Legislature now sanctioning a measure for a fixed duty. The consequence would be a continuation for some years longer of the agitation which had of late been going on, and which, he believed, of all things was most deeply detrimental to the landed interest. But even if such a measure were likely to be accepted by the country, let him ask how was such to pass through Parliament? By what party—by what set of men—could a measure for a fixed duty now be carried? Certainly not by the existing Government, for they knew that they had pledged themselves within the last week or two to consent to nothing of the kind. The whole tone of their declaration had been that a fixed duty was perfectly out of the question—that protection might be right, but that the alternative was between protection, as it then existed, and free trade—that to make corn the subject of more taxation, to impose a duty on food for mere purposes of revenue, was a proposition to which they would never assent. Then the great party who were opposed to them, will they do it? His noble Friend, who with such distinguished ability conducted that party in the other House of Parliament, had publicly declared that in December last he was prepared to form a Government on the principle of the immediate and complete repeal of the Corn Laws. Could he, then, and those connected with him, take up a measure, after that declaration, which had been rejected by the present Government as not going sufficiently far? All who knew his noble Friend knew that he was the last man in the world to listen to such a suggestion. To expect him to come forward and propose a measure for a fixed duty now, was altogether irrational and improbable. Then there was a third party—as they called themselves, at least; there was his noble Friend who made so eloquent a speech on Monday night, and the noble Duke on the cross bench—were they prepared to form a Government and to propose that measure? He should think, after the very severe language which they had held in the course of the last few weeks on the subject of inconsistency, deserting pledges, eating words, and so on, that they would be the last persons so to come forward; and but last year the most prominent Members of that party declared that they never would consent to it—that even free trade itself was a less abomination in their eyes. Then there was nobody to propose it; and he really thought that all idea of a fixed duty might at once be consigned to oblivion. He thought that, if adopted at the proper time, and at the proper season, it would not have been a bad settlement of the question; but that time and that season having passed, they must decide between maintaining the law as it now stood, or the more complete measure of reform which was opposed to it. His noble Friend (Lord Stanley) on Monday night warned them against passing this measure, lest they should be obliged to yield one concession after another; and he referred to ulterior measures which a speaker had alluded to at a League meeting. [Lord KINNAIRD: It was not a meeting of the League.] He was reminded that it was not a meeting of the League; whether it was or not was quite immaterial. He believed no man would attempt to defend all the speeches which had been made by all the members of the Anti-Corn-Law League; for his own part, he should certainly be very sorry to do so. He quite agreed that the speech in question was a most absurd speech, and that the speaker referred to most vicious measures—to mea-

sures which he trusted would never receive the sanction of Parliament. He was also prepared to admit that the existence of the Anti-Corn-Law League was a very great evil. He said it was a great evil; but let him not be misunderstood. They must not suppose that he meant to throw any blame on those individuals who were at the head of that body; for he had no hesitation in saying, however the declaration might be received in that House, that, in his opinion, this country owed a debt of gratitude to the leaders of that body, and more especially to Mr. Cobden. He said that to him, to his genius, and to his indefatigable energy and perseverance—not to Sir R. Peel, not to that party in Parliament with which he had the honour of being connected, but to his hon. Friend, Mr. Cobden—were they indebted for the achievement of what he believed to be one of the most important measures with reference to the future welfare of the British people which ever received the sanction of Parliament. To him the country should feel deeply indebted. He had achieved this triumph by means altogether unexceptionable. There had been no appeal to physical force, no threatening displays of great multitudes of persons collected together. [A noble LORD: Because he could not get them.] The noble Lord said, "because he could not get them." He attributed it, however, to a different cause. He believed it was because Mr. Cobden thought, and thought justly, that the proper way of acting on the opinion of Parliament was through the opinion of the nation. All his efforts had been addressed towards converting the opinion of the nation—towards teaching both farmers and manufacturers what the real interests of the community upon this subject were; and, considering the time in which this great change of opinion had been attempted, he must say, that his success appeared to him almost miraculous. But still he said that the existence of the Anti-Corn-League was an evil; and he believed if they were to ask Mr. Cobden himself, he would tell them that he was of the same opinion. It was an evil, because such a body never could exist unless it was created by a strong feeling amongst a large proportion of the people, that wrong and injury were being inflicted on them. It was, he believed, only a monster grievance which could have created such a formidable organization as the Anti-Corn-Law League; but he agreed with his noble Friend (Lord Stanley), that, once created, the redress of the grievance which created this body would not destroy in all quarters the desire to maintain that organization. The noble Lord, with the happy language peculiar to himself, said that the cup of political power was too sweet, when once tasted, to be readily relinquished. That was perfectly true; and no doubt there would be a great anxiety amongst many members of that body to keep up their formidable organization, and to apply their powers to the carrying of other objects. It was consistent with all past experience that such should be the case. But what, let him ask, was the inference their Lordships ought to draw from that consideration? Was it that they should keep up the grievance which had created that formidable power until the present sense of wrong, aggravated by disappointment, forced concession from them? The inference which he drew, on the contrary, was, that their Lordships ought, with the least possible delay, to repeal this law; and he might observe, in passing, that one great objection which he entertained to a portion of this Bill, was on account of the delay in adopting it; and if, in accordance with the forms of Parliament, that House had the power of amending Bills of this nature, he should certainly have liked to have altered the three years' provision; for that "rag of protection," as it was aptly termed the other evening, was only calculated to afford an excuse for those who wished to keep up the Anti-Corn-Law League—a power which, if kept up, it was not impossible they might see directed to other and more dangerous purposes. Would not the grievance be aggravated a thousand fold when the hope of redress had been disappointed; and did they not think that the power of this body would be largely increased if, after the circumstances which had occurred, all redress were refused? His noble Friend (Lord Stanley), in the course of his speech on Monday, went on to say, that if they consented to pass this measure, their Lordships must be content in future to be regarded as a subordinate part of the Constitution—as the registers of the edicts of the House of Commons. But his noble Friend went on in the same breath to describe, in most beautiful and glowing language, the real purpose of this House.

"My Lords," he said, "if I know anything of the constitution or value of this House, it is that it should interpose a wholesome and salutary obstacle to rash and inconsiderate legislation. It is to protect the people against the consequences of their own imprudence. It is not, my Lords,

it never has been, and never should be, to resist the expression of continued and deliberately-formed public opinion—to that your Lordships have always, and I trust always will, bow; but it is yours to check the progress of hasty and irreparable legislation."

In those words his noble Friend, with his usual happiness of expression, detailed most accurately their Lordships' proper place in the Constitution of the country. As he told them, it was their office to check the progress of hasty and irreparable legislation, but not to oppose themselves to continued and deliberately-formed public opinion. It was therefore of the deepest importance that their Lordships should discriminate and distinguish accurately when the desire of the country for a change in the law did proceed from a hasty and inconsiderate passion for alteration, and when it rested on a continued and deliberately-formed opinion. It was of the deepest importance that they should accurately distinguish between these two cases, because if they made a mistake, if under the notion that they were opposing hasty legislation, their Lordships did set themselves against deliberately-formed and rational public opinion, it was perfectly clear they must give way, and that by so giving way they seriously shook and impaired their proper authority and power in those cases in which they really might be exercised with advantage to the country and to the Constitution. In this case, then, it was their Lordships' duty to endeavour to determine whether the desire of the people, as represented by the votes of tho House of Commons, was founded on a deliberately-formed opinion, or whether it was the cry of hasty and inconsiderate legislation. Let him ask them what were the symptoms by which they were to judge? Let him remind them, in order that they might form an opinion on this point, which lay at the very bottom of the decision to which they were this night to come, let him remind them what were the symptoms which led to the inference that the desire of the nation for this measure rested on a continued and deliberately formed opinion. He would remind them then, that the principles on which this Bill was formed were first brought under the consideration of the public so long as eighty years ago, when the first edition of Dr. Adam Smith's immortal work was published, in which he laid down, with a force of reasoning which the experience of succeeding years had fully justified, that it was wise and just to emancipate commerce from all artificial restrictions. That doctrine was not long in working conviction in the minds of all theoretical men; every political philosopher in every quarter of the globe was soon found adhering to that principle; but it was long before those engaged in the practical affairs of life would concede it—before practical statesmen and manufacturers and farmers would consent to admit the validity of the doctrines of Adam Smith. But at length they did begin to yield—the authority of those maxims of commercial wisdom which had long been received as infallible by philosophers in their closets, began also to be recognised in the councils of the nation; at first in a hesitating and timid manner, but still a silent and gradual advance was being made to their consummation. As discussion went on, as the good effects were experienced of the partial measures which had been founded on those principles, more and more converts came over. In Parliament and in the country every succeeding year showed an increase of strength to that great cause of truth and of reason. In his own recollection of political life how vast were the changes whieh he had seen on this subject! Nineteen years ago, when he first voted on these questions in the other House of Parliament, in favour of a very timid application of free-trade principles, he voted in very small minorities; in minorities as small as fifteen, and never greatly exceeding fifty; whilst those who were for out-and-out protection, who resisted the Corn Law of 1828 almost as strenuously as the proposed measure was now resisted, doubled and trebled their opponents in the divisions—so powerful was the extreme agricultural party in that day; yet they now saw that year by year, from that time to the present, the strength of the party in favour of the bolder and bolder application of the principles of free trade had been gradually increasing; and in the last few years, though they had still had large numerical majorities arrayed against them in divisions, yet no man who attended to the debates in the other House of Parliament, no man who looked at the signs from which to judge of other men's feelings, could have failed to foresee symptoms of the rapid approach of that event in which the principle could be fully adopted. Their opponents spoke in the tone of men who felt conscious of defeat, like men who felt that their struggle could not much longer be maintained; and last of all they saw Her Majesty's Ministers themselves, who

had so long been the ablest advocates of protection, coming forward and manfully avowing a complete change in their own opinions, a complete adherence to the doctrines of free trade. Severely as they had been censured, he gave them credit for that avowal—he had no doubt it was a sincere and an honest avowal. There was no reason why it should be otherwise. Their party interest and their personal feelings would have led them, consistently with their sense of public duty, to have maintained their former opinions; and when he found them unable to do so, he derived from that circumstance the strongest possible reasons in favour of the course it was now proposed to their Lordships to adopt, to yield to the irresistible current of public opinion. They might say the reasons that they had assigned for the change were altogether inadequate—that the potato famine was a delusion—and that there was nothing in the state of affairs to justify such a measure. They might say the arguments which they used were precisely the same arguments which they themselves had so often combated. They might say all this; but he did not think they would inquire what were the motives which led those gentlemen to hold other opinions on former debates. He did not wish to inquire whether it was a want of foresight or a want of moral courage to avow opinions which, though unpopular, made them in 1839 and 1841 still the advocates of protection. Whatever opinions they might form upon this point, it was impossible any rational man could doubt that the change which they had now avowed was sincere—and that they felt the repeal of the existing Corn Laws to be required by the best interests of the country. And he would say their adopting that opinion, their coming forward to advocate it, and their sacrifices for it, were a convincing and a striking proof of what was the state of public opinion on this question. Out of doors there were precisely the same symptoms. Did their Lordships not remember that out of doors at one time the merchants and manufacturers of this country were as strongly in favour of protection as the agriculturists were at this day? Were they not the main originators of the whole protective policy? They, he believed, were perfectly willing to admit the fact. This great mistake in our national policy was far more attributable to the mercantile and manufacturing interests than the agricultural, and when he first came into public life this was the general state of public opinion. He remembered Mr. Huskisson being regarded as a public enemy in the great seaport towns in the north of England, and the repeal of the discriminating duties on foreign shipping being considered as something like treason to the best interests of the country. From those very towns, in the present Session of Parliament, he had presented petitions praying their Lordships not only to pass this Bill, but to abolish all protective duties whatever. Such were the symptoms of the desire of the nation for the repeal of the Corn Laws; and it was not a desire for rash and hasty legislation, but it was the continued, the deliberately formed, and the rationally expressed public judgment. These measures were the symptoms of it, and public opinion being so, it was not, according to his noble Friend's own admission, wise in the House to diregard it. That their Lordships did not disregard it, and that they did pass this Bill by an overwhelming majority, was no less his firm and confident expectation than it was his fervent and earnest hope.

LORD ASHBURTON said, that the question which their Lordships were then called upon to decide, was not only the most important proposition made during the present Session, but one of the most important propositions that could possibly come under the consideration of Parliament; and he hoped that if he only addressed them very briefly upon this most momentous occasion, they would not impute the short time which he should occupy with his remarks to any indifference toward the subject, or to any insufficiency in the reasonings which might be adduced against the Bill. He hoped it would be attributed to his individual inability to address them at any length, rather than to any other cause, if he attempted to do more than advert very shortly to the leading features of the present discussion, and touch very cursorily upon the principal topics which he meant to bring under their notice. Avoiding, then, any further preface, he should limit his preliminary remarks to this —that in examining the merits of the present measure, he did not mean in any degree to reflect upon the authors of these great changes, and least of all upon his right hon. Friend at the head of the Government, with whom he had long been connected by bonds of friendship, and many acts of kindness; and he should be extremely sorry if, in the discussion of the present question, any observation should

happen unconsciously to fall from him which could at all be construed into the least complaint against those by whom the Bill was brought before their Lordships' House. At the same time, considering the great importance of the measure, and looking to the immense interests which were at stake, he felt that he should ill discharge the duty which he owed to their Lordships, to the country, and to himself, if he did not fully and candidly state the impressions which at the present moment weighed upon his mind. Occupied, then, as his feelings were with the vast interests at stake, he should not upon this important occasion take up any portion of their time by attempting to discuss the general political consequences of the change now sought to be introduced. He did not stop, as his noble Friend had done, to ask what would become of the Government, or what party there was in the State which could form a Government, or whether there was any party likely to agree upon any general principles. Instead of involving them in such discussions, he should content himself with advising their Lordships to proceed upon their own conscientious convictions and their own views of the policy which would be most beneficial to the country, without reference to the possible circumstances in which the Executive Government might be placed. He wished, before he proceeded any further, to remind the House that the present Bill came before them in a very humble shape, being merely a proposition to alter certain duties payable upon the importation of corn; that whereas, according to the statement of his noble Friend who last addressed the House, it was merely a Bill for facilitating the importation of foreign corn, and so changing the average prices of corn in this country from 50*s.* to 45*s.* or some such trifling variation; but the Bill assumed a very different aspect when they turned their attention to the dangers which had been so eloquently stated by his noble Friend on the first night of the present debate, its influence upon all the great interests of the country, and its colonial, commercial, and financial system; its ability to pay its debts and maintain its credit: all these important considerations were involved in a question which, as presented to the House by one noble Lord, was nothing more than a measure calculated to make a slight difference of a shilling or two in the price of corn. To his mind the Bill presented itself under a very different guise. He hoped that he might be mistaken; but he could not remove from his mind the conviction that the House was on that night dealing with a subject of the very greatest magnitude. Nearly forty years had elapsed since the great question regarding the importation of corn first occupied his attention; and in the year 1815, with the very small claims upon the attention of Parliament which he possessed, he was as stout an opponent of the Corn Law then passed by Parliament as he was at the present moment of the Bill now under their Lordships' consideration. By the Bill 1815 it was proposed to keep corn at the enormous price of 80*s.*; that appeared to him to be a most wild, ruinous, and fatal measure, and he thought it his duty to give it all the opposition in his power. He could not just at this point avoid noticing the singular coincidence that his noble Friend who proposed the present Bill should have been the identical individual by whom a Bill was brought into the House of Commons intended to fix the price of wheat at the high price of 80*s.* His noble Friend brought in the first Corn Bill of the present series; and now he moved the last. He was concerned in the commencement and the close of the system which was intended to regulate the importation of corn. As was said of Mr. Grattan, with reference to the political independence of Ireland—"he sat by its cradle, and he followed its hearse." But, without further noticing the share which his noble Friend had in those proceedings, he should examine the grounds upon which this measure rested. In the first place, he should observe that the argument which had been originally put forward for the necessity of repealing the Corn Laws, namely, the distress in Ireland, was now pretty well abandoned; for it had been very clearly shown that the distress which existed in that part of the United Kingdom had been greatly exaggerated. But, supposing the state of the case to have been quite otherwise, it did appear to his mind that the best way of making provision for the wants of the people of Ireland would be, instead of opening the ports, to close them, in order to keep within the island the provisions which were already there, and assign them to the use of the supposed starving population. Of course, the House would recollect that in the autumn of last year, when scarcity was apprehended, it was generally suggested that the Government might open the ports; but to this it was replied, that if

the Government assumed the responsibility of opening the ports, they could never venture to shut them again. To that sort of reasoning he felt assured that their Lordships would attach very little importance. The ports had been opened and closed again both by Government, by Order in Council, and by Votes in Parliament, for particular emergencies; and he would refer for an instance to the manner in which one of those openings took place under the auspices of Mr. Huskisson, and he would point out to the House the precautions which that prudent and able Minister took when he opened the ports in the year 1825. In the month of May in that year, it was apprehended by the Government that there was going to be a scarcity of corn. The price of wheat was up to 72*s*. A Bill was brought in to let in corn in bond. This was done by the wisest Minister probably that had existed in our time. The price, as he had said, was 72*s*., with a probability of a deficiency in the approaching harvest; there were 400,000 quarters of corn in bond, and this supply was let in; but with the caution of admitting it in three months, with an interval of one month between each occasion, paying a duty of 10*s*., and thus relieving the apprehension of a possible scarcity. What did Government now propose to do? At present, the price was not 72*s*., but 52*s*., with a falling market, and there were 2,000,000 quarters in bond. This immense supply was to be let in, not by degrees, as that wise and prudent Minister, Mr. Huskisson, proposed; but, in the face of a harvest which up to this time promised favourably, and in the presence of an abundant supply of food, they proposed to let in an indefinite amount of foreign corn. That course the responsible advisers of the Crown defended by a reference to the grand principles of free trade, and by vague declamation, which established no sound principle of prudent legislation or political economy. Many noble Lords, and persons elsewhere, had stated their opinions how this measure would operate upon prices; and the question had been naturally put to those who proposed the measure, what prices they expected under the operation of the Bill, in order that it might be seen what would be the probable situation of the British grower of wheat? The only thing approaching to an answer was, that a noble Lord had told them that farmers were as ready to take long leases as ever they had been. He had a great respect for the opinion of the farmer with respect to the mode of cultivation of his farm; but he had no confidence in his opinion as to the extent or degree of foreign competition which a particular measure would create. The farmer would answer you with great judgment—supposing the price of wheat to be reduced to 40*s*. or 35*s*.—what reduction he should require in his rent, or what rent he should be able to pay, or whether he could pay any at all. These were questions which he was perfectly competent to answer; but if they wished to know what extent of cultivation upon the Continent would be caused by such a measure as the present, it was not the farmer they should ask—they must obtain the opinions of persons conversant with the trade, and who were in the habit of carrying on business with the grain-growing countries of Europe. In their Lordships' Committee appointed to inquire into the peculiar burdens affecting agriculture, amongst the witnesses who were examined was a very intelligent gentleman (Mr. Bamfield), who being asked whether he had made any estimate of the expense of growing corn on the Continent, said he had made many calculations as to the expense at which it could be cultivated both in Poland and Russia, and he found that wheat could be sold at Odessa for about 15*s*. the quarter, including the cost of carriage from the interior. He gave a similar account of the production of wheat at Dantzic; and this was the evidence of a gentleman well knowing the countries to which he referred, and might be safely contrasted with that quoted by his noble Friend, consisting, as the latter did, of the opinions of a gentleman who showed what was his object, and what he was aiming at by sneers at the protectionists. The gentleman to whom he referred said, in answer to further questions, that corn was so cheap in Poland that it was often unsaleable—that the price varied according to the foreign markets to which the grain could be sent, but that the supply of the country was endless; and, he added, that the quantity produced could be doubled or tripled, and he hardly knew to what extent it was not capable of being multiplied. The Bill which their Lordships were now going to pass, would, therefore, bring into our market an overwhelming supply. The whole amount of wheat which would be at once introduced into the market, according to the returns furnished by the corn inspectors, was 6,500,000 quarters, being one-third of our annual consumption; and it

would be followed up in the course of the year by foreign corn in addition; by which large supply, introduced when nobody wanted it, if, unfortunately for the calculations of the Minister, there should be a good harvest, the price of grain would fall to the lowest scale that had ever been known in this country, because the supply would be far beyond all our power of consumption. He said that, by passing this Bill, the Government would, at starting, produce all the confusion arising from such an immense introduction of grain. The price would not only be low, but the market would be paralysed. The farmer would go to market week after week with his corn, but would find that none but the first-rate article could be sold. That would be the direct operation for this year; and that would be to him a sufficient justification in rejecting the Bill. And then, as to the future, what would follow after these three years? Noble Lords opposite seemed to go upon the calculation that certain and adequately remunerating prices could be maintained; but prices were uncertain, depending upon various occurrences, different demands; and it was, therefore, most difficult, if not impossible, to say which would be the price for any continuance. Prices, he would venture to state, might be wholly independent of the cost of the article and the terms at which it could be imported. When their farmers, in 1839, were selling wheat at 35*s*., it was not because such was the price at which foreign wheat could be or actually was brought in; it was because it had been brought in in great quantities at some other price; it was because there was this superabundant supply; and because it was there, just as in the case of vegetables rotting in Covent-garden market, it had to be got rid of. The article was a perishable article; it was injured greatly by being kept warehoused any length of time; it was also kept at a great expense; the holders were always in fear of the next harvest; and it must, therefore, in point of fact, be disposed of at certain times at any price. They ought, in forming an estimate as to the future prices of corn, to examine the condition of the northern parts of Europe, Poland, and Prussia, the country ranging behind the Carpathians, and that where the rivers of the Baltic poured themselves into the Black Sea, those great corn-producing lands, from which France, Belgium, and Holland obtained all their supplies, because thence corn could be imported at the cheapest rate. Many noble Lords said that they depended upon corn coming from America, from the valley of the Mississippi; but all that they could calculate upon was that it would most inevitably come from the cheapest market. Those countries of which he spoke grew corn on the speculation of a demand from all the nations of Europe; but all those nations, and not yet with the exception of England, might shut their ports whenever they did not want corn. They, in England, were going to depart from that policy; they were going to adopt what was called the principles of free trade; but they would do so alone, and not one of the nations which surrounded them would follow their example. The corn would come to Europe; none of the people of Europe wanted it; the ports were shut, and, as the corn must be disposed of, it came to that country the ports of which were not closed; it was poured in upon England. Now, he could understand such a plan as that which they were asked to adopt: it would be intelligible to him if he could see that other countries acted on the same principle; but it was not so; and, not being so, such a plan was altogether inexpedient and unwise. Seasons would most assuredly come when the people of Southern Europe, and Great Britain, would be able to feed themselves, and then the corn from the north would be rejected by every country except this; and therefore upon our markets the whole quantity grown for the supply of all Europe would be thrown, and the result would be an enormous depression in the price—a result, he need not say, most destructive to the English farmer. This argument he adduced for the purpose of showing how greatly they would be deceived, and how ruinous would be the discovery of the deception, if they supposed it possible to act, in such a matter as this, on the simple principles of political economy, on the supposition that a set of people, or that different Governments, would all act in the same manner, without an object, and solely in reference to this one principle, like so many motiveless machines. And, while on the subject of political economy, he might be permitted to quote the opinion of a writer who would be received by all, but more especially by the noble Lords opposite, as a great and trustworthy authority. The work from which he would read an extract was an essay written by a noble Lord now a distinguished Member of the party with which he acts—Lord J. Russell.

The calmly and deliberately given opinions of the noble Lord, arrived at, not in the heat of a political contest, and put forth in a speech, but come to in the philosophic quiet of retirement, would be received as most valuable. The noble Lord said, in 1820, speaking of political economy—

"Political economy was an awful word. It was appalling to think that the Legislature should frequently be called upon to decide questions involving the happiness, perhaps the very existence of millions of the people, upon the principles of a science which was ever changing from day to day."

So said Lord John Russell. Yet now their Lordships were called upon to decide a question involving the happiness, perhaps the existence of millions of people, according to the rules of a science which was said by the noble Lord referred to, to be "changing from day to day." The science was known by the one term "political economy;" but all who attempted to define it at length varied in the definition: the premises were different, as different the conclusions; Ricardo differed from M'Culloch; and both from everybody else. Yet they were now asked to regulate the affairs of this great country, not by the principles experience taught them, but according to a visionary scheme, the consequence of which, if adopted, would, in his humble opinion, be the irrevocable ruin of thousands. The same noble Lord had said that the peculiar feature of the science of political economy was the difficulty of connecting any data with which it furnished them whereon to found, with sufficient certainty, a system. He (Lord J. Russell) said also, that if all nations acknowledged the same guiding principles—if different national interests were identical, and different national prejudices were forgotten, then it would be easy to legislate according to theoretical rules; but the complication of political interests, the existence of ancient treaties, and, above all, the establishment of capital which had taken place on the faith of a continuance of the policy under which these had taken place, rendered the question of legislation by reference to political economy much more difficult to solve than any one problem within the range of mathematics. It was, indeed, very easy for them to say that the trade in corn ought to be free; that, if our farmers could not grow it as cheap as could foreign farmers, they must let it alone; but, in being compelled to let it alone, they should not forget where lay all the mischief. The species of free trade which, in other articles, they had adopted, had not been attended in all cases with success. He was inclined to think that many restrictions had been, and were proposed to be, removed most imprudently; and even the measures under their consideration were unequal in different provisions, for there was no uniformity in free trade. The noble Lord (Lord J. Russell) had pointed out that in the event of a free importation of corn, they would have to consider whether the consequent effect would not be the ruin of the English farmer, the relinquishment of agricultural occupation as unprofitable, and whether, in that case, there would not be a total dependence of this nation upon the caprices of foreign Powers; and the noble Lord had termed it "a knotty question to decide." The noble Earl (Earl Grey) opposite had treated this question as a mere question of abandoning 1*s.* or 2*s.* of duty; but in his (Lord Ashburton's) opinion, it was the most mighty and momentous question ever submitted to a Legislature. It was one affecting the foundation of their Constitution, disturbing the domestic relations of almost every family in the country, endangering the tenure of their Colonies, exposing them to the mercy of foreign nations; and, as such, they could not treat it with too much caution. He (Lord Ashburton) had already demonstrated what would be the consequences of a too abundant and unavoidable importation of corn; the noble Earl in answer might say, "But you cannot have bread too cheap." He thought, most decidedly, they could; and that would be when it was so cheap that the lowness of the price would throw any quantity of land out of cultivation. What had been the prices under the sliding-scale? The sliding-scale had been greatly abused; but it had been abused without reason. In 1843 the prices were 50*s.*, 51*s.*, and 50*s.* 10*d.*; and it was impossible to say that those prices were extravagant or too high. And if the prices under that system had not been excessive, what right had they to say that it had failed? He had, in 1815, resisted the advance of the protection to 80*s.* Since that period he had never been an advocate for any absurd or unreasonable protection to agriculture, as it was called; and his object in every vote which he had given had been to regulate the supply of corn on fair and equitable terms to the consumer and producer. He had voted for the Bill of 1842; he had approved of the admission of cattle; he had voted for the

Canada Corn Bill, and, in a word, for every successive relaxation in restrictions which he had deemed more stringent than was necessary. But they now came to a question of a very different description—the total overthrow of a policy which had existed for a century and a half—the rejection of a legislation which, since the days of the Conquest, in different degrees, had been considered wise and just, and under which the country had prospered. The interests of an important section of the community, and of men who had applied large capitals to the improvement of agriculture —who had made every exertion to effect that improvement—who had even gone to the South Pole for the means of enriching the soil—were at stake; and these interests were not to be sacrificed at the bidding of dreamers. Mr. Huskisson—a great authority—had put the case even as strongly as it had been put by the noble Lord (Lord J. Russell). He said, in 1814 that the proportion of corn hitherto imported had not been 1-35th of the consumption; that, if proper measures were not taken to encourage home cultivation, it might be in the proportion of one-fourth; and that nothing could be more dangerous to the safety and tranquillity of the country than that there should be a diminution or stoppage in that home cultivation. It might be said that Mr. Huskisson had changed his opinions, and the great difficulty they had to contend with, in adducing any authority, was the never-ending changes of opinion; but, as he had died in 1831, it might very well be supposed that his declaration in 1828 was a final one. Mr. Huskisson then said, "I understand it has been urged against me, that I held an opinion that England ought not to depend too exclusively on other countries for the supply of corn. I maintained that doctrine in 1815; I maintain it now." He further said, "I am anxious to render this country, commercially as well as politically, independent of other countries." The doctrine was general, both in Europe and America, that it was in the highest degree dangerous to depend upon other countries for the supply of food. The noble and learned Lord (Lord Brougham) who spoke on Monday night had endeavoured to show that this dependence could not be dangerous; and he had for this purpose instanced what had occurred in 1810, when Napoleon endeavoured to withhold all supplies from us, and when, nevertheless, great quantities of corn were imported. In those years when he had the power of shutting up the ports of Europe he still condescended to allow us a supply of corn, by a system of granting licenses, which brought him large sums of money. But what was the price of corn in England at that time? In 1809 it was 94*s.* per quarter; in 1810, 103*s.*; in 1811, 92*s.*; in 1812, 122*s.*; and in 1813, 106*s.*; the average price during the five years was 103*s.* 10*d.* How much of that went into the pocket of the French Emperor, and how much to the English farmer, he could not say; but no doubt he considered whether he should gain most by bringing that sum into his Exchequer by means of the corn licenses, or by prohibiting the supply altogether. Suppose it had been possible for him to have forced England to make peace by totally withholding the supply, could there be a doubt he would have done so? Why, their Lordships might remember that an English Minister, Mr. Perceval, having taken into his head that the French army in Prussia would perish from disease if it could not get a supply of bark as medicine, seriously proposed a Bill to prevent the exportation of that article. Did they suppose, then, that foreign countries, if they thought they could derive advantage from it, would hesitate to stop the supply of corn? If they neglected their own agriculture, they must diminish the spirit of those engaged in cultivation, and largely reduce the amount of production. Those years of high prices contradicted another favourite theory of the noble Earl, that prosperity always attended low prices, and distress followed high ones; but there never was a more prosperous period for all classes in this country than that during the war, when corn was at 105*s.* per quarter. Large sums of money were borrowed from year to year, and circulated among the people; it was an artificial prosperity, and if the noble Earl would borrow 40,000*l.*, and scatter it among his neighbours, he would produce an immediate prosperity of the same kind. He thought something similar was going on at present in the large sums raised and spent in railroads. He had always considered that protection was based on three main principles—encouragement of native industry, independence of foreign countries for our supply of food, and thirdly, that we imposed charges on land which entitled it on the other hand to protection. He considered poor's rate a charge on the land; he was not going to argue against that burden being charged

on the land, because he thought they could not alter it beneficially, and therefore he thought they should continue to the land its present protection as an act of justice. Whether tithes were a charge upon the land or not, was disputed: it was said, "You have inherited your property or bought it with the charge, and you have no right to dispute it;" but it should not be forgotten that it was also bought or inherited with the compensation of protection. The question had puzzled the heads of the political economists. Mr. M'Culloch admitted that the landed interests were intitled to compensation in respect of tithes; and in writing on the subject, after discussing the subject of special burdens on land he said—

"Though the question is not free from difficulties, I should say, that owing to the local and other direct and indirect burdens to which the occupiers of land are subjected, they are liable to heavier charges than others."

The EARL of CLARENDON: When was that published?

LORD ASHBURTON: it was published only a few years ago. Mr. M'Culloch went on to show that these burdens averaged between 5*s*. and 6*s*. an acre. Now, whether this writer was right or wrong in his calculations, he (Lord Ashburton) wished merely to show their Lordships that those who denied to the landed interest everything in the shape of protection, and who took a strict line in that direction, acknowledged at the same time that the land was entitled to some compensation. He would now say a few words on the question, whether the British farmers were able to compete with the foreigners. It was stated that if the farmers of England were teased and worried a little, and put to some inconvenience, there was no knowing what could be got out of them. Yes, it was said that they wanted only the stimulant of distress to urge them to greater exertion. Now, it was known that poor lands went out of cultivation when corn fell to a certain price. It was true the fine tenantry on the noble Earl's estate in Northumberland might not be much distressed by an alteration in prices; but the cultivation of the soil, generally speaking, varied with the price the farmer was likely to get for his produce. Of two farmers having access to equal markets, the one having good land would beat the one holding bad; if their land was equal in quality, the advantage would depend on the charges they had to pay, because on those charges must depend the residue of profit. There had been some information given on this subject before a Committee of their Lordships' House during the present Session. Persons who had farmed in the north of France, and also in Prussia and Poland, had given evidence. What did the party acquainted with farming in Prussia state? He said that $1\frac{1}{2}d.$, or, at all events, less than 2*d*. per acre, paid all the charges on the land in that country, including the taxes for the Church, the relief of the poor, and the Government taxes. Under such circumstances, and supposing even that the land in Prussia was of an inferior quality to the land in England, did their Lordships believe it was possible for our farmers to compete with the Prussians? It was impossible. ["Hear!"] He should be glad to know on what principle noble Lords would assert, taking into consideration the facts he had just stated, that the English farmers could enter into such a competition. The condition of the farmers of the two countries had been compared, and it was argued that when bread was cheap the poor were better off. Now, any information he had been able to obtain led him to a different conclusion. It was said that the small farmers in Prussia lived well as far as their household was concerned; but from all he had learned those people did not always eat wheaten bread; and they seldom eat meat more than once a week. That was, he believed, a different mode of living to that of the English farmer. It had been discovered, all at once, that in this country wages did not depend on the price, or on the supply of food. In the north of England, and in America, where there was a great demand for labour, it did not; and in this country, while there was a great demand for labour on railways, wages would be independent of the price of food; in Lincolnshire, where happily the population was not in excess, the same thing took place; but when they came to the agricultural districts and the south of England they found that the rate of wages did follow the price of food. The Legislature was now proposing to take away from the employer the means of paying a fair amount of wages. There would be a fall in the price of corn, and though it would come immediately upon the tenant-farmer, he would soon begin to screw his labourer, and to call for a reduction of rent: and the labourer, not understanding political economy, or the deference to be paid to the superior wisdom of Par-

liament, might, perhaps, be provoked to fire the stacks of his employer. Then with regard to the parochial clergy, they must be deeply injured by this measure, for their tithes were commuted upon the average price of corn. Suppose the price reduced from 56*s.* to 40*s.*, the clergyman with 300*l.* a year would be reduced to nearly 200*l.* a year. It was easy to say that if this law turned out ill it could be repealed ; but it could not be done without throwing the country into confusion, and having mischievous people going about, setting up a cry of "oppression to the poor;" and of course it would be still worse if the Minister of the day should himself join in the cry. For himself (Lord Ashburton), he thought the settlement of 1842 was a very fair and reasonable one ; but if the Government had proposed an experiment of a duty something less, they might have come again to Parliament to reduce that protection still lower afterwards ; to raise it was a very different affair. To become largely dependent on foreign countries for food, and to have to pay heavy sums for it year after year, might bring us into serious difficulties with respect to our circulation — difficulties which were the real cause of nine-tenths of all the distress and penury in this country : the depression in particular manufacturing districts at particular times was traceable to circumstances almost entirely arising from a derangement of the monetary system ; the Corn Laws had no more to do with it than the most insignificant act. Turning to the colonial question, he must say that the noble Earl who had last addressed the House had left untouched the argument of the noble Lord (Lord Stanley), and would perhaps have done better if he had delayed some of the remarks he had made until that noble Lord was able to attend. The noble Earl had particularly spoken of the Canadas. He must confess that some of the passages of the noble Earl's speech were far from giving him that confidence which the noble Earl seemed to feel. The question in those provinces, and in Lower Canada particularly, was a question of race. The people, although they had belonged to England since 1763, were French, with every anxiety to get back to France. What would be the consequence if you were to lose these Colonies ? The immediate connexion of France with the Lower Province would surely follow. Who were the persons who, it was said, would be well satisfied with these alterations ? Messrs. Lafontaine and Tachet, both Frenchmen. They wished to have entire freedom of everything in those Colonies; Great Britain was to have no more particular right in the country than France or Belgium. But of what use were the Colonies under such circumstances ? Was England to keep the Colonies at all this trouble and expense, for the benefit of all the world ? This was a sort of excessive philanthropy, which was very much in vogue in the early period of the French revolution. There was then a person who called himself the "advocate of the human race," who undertook the improvement of the concerns of all the world. We ought to take care of our own Colonies. The noble Earl who opened this subject had told their Lordships that all Europe was going to follow them. The only following that he saw were great praise, great admiration; but every one of them found that the system did not suit them. It was not in the nature of things that it should do so. The country that was wise (and England was wise formerly) looked to its own interests : it did not go on a Quixotic expedition for the benefit of all the human race. He had heard, it was true, that the King of Sardinia was permitting the exportation of chestnuts ; and this was the only symptom he had met with of a liberal policy. If you could effect your object, and bring all the world to free trade, he very much doubted whether all the world would be benefited. The whole of the civilized world was divided into a variety of different societies, of different language and habits, and it was very desirable that they should so continue. General amalgamation would be one of the most fatal things that could happen to the liberties of mankind. What would be the result if you could establish this principle ? England perhaps might be covered with tall chimneys, and manufacture for all the world, and be fed by all the world; but would your population improve under such a system ? Certainly not. It was desirable that in every country every description of industry should be mixed up— agricultural, commercial, and manufacturing. The country which should be foolish enough to think that they could accumulate all the wealth of all the world, would soon find that all the world would be against them. He felt confident that their Lordships would decide this question without prejudice. To suppose that the

Members of this House, the Peerage of England, the great gentry of the country, who had an interest in the general prosperity, would be actuated by any benefit they might derive by getting something more from their rents at the expense of the country, was one of the greatest delusions that ever entered into the head of man. If their Lordships should really think, after hearing all the arguments, that the landed interest of the country did stand in the way of the prosperity of the country, it was not only their interest but their duty to make such concessions as might be requisite. But if, with himself, they thought the proposal of Her Majesty's Ministers a great mistake, opposed to almost all authority and all experience, then they would act as he was about to act; and he never gave a vote in Parliament more heartily or with greater confidence than that which he should give against this Bill.

The MARQUESS of LANSDOWNE, believing that the debate had reached its last night, would not contribute towards preventing their Lordships from coming to a decision, by the length of any observations which he should make; as he should be sorry if any noble Lord whatever who was anxious to do so, should be deterred from addressing them. His noble Friend who had just sat down need not be alarmed at the supposition that he meant to trouble the House with that "awful" subject of political economy to which he had referred in connexion with the name of a noble Lord in another place. He had discovered that Lord J. Russell, some twenty-six years ago, when a young man, and before he had held any office, described political economy as an "awful word;" and after sitting for so many years in Parliament, his noble Friend (Lord Ashburton) seemed to consider it an awful subject now, so alien did his mind continue to the subject, as he had indeed proved in his speech that night. He would also assure his noble Friend that he should abstain from entering into a consideration of the burdens upon land. He should dismiss that subject, of itself an immense and important one, not, however, essentially connected with the question before them, by saying, that if justice should be done to the consumers of the country, so also should justice be done to the proprietors of the land; and perhaps his noble Friend might be aware that this was an opinion he had always held on that subject. But important as that question was, he would implore of them to dismiss it from their consideration now, and to fix that consideration on what his noble Friend had truly described to be one of the greatest, if not the very greatest question that was ever submitted to their Lordships' attention. It was a question which had been the subject of debate and discussion for years past in and out of Parliament, in every assembly, and in every town and village in the country. It did, indeed, assume something of a new aspect as it was now presented to their Lordships, since it came before them, for the first time, in the shape of a Bill sanctioned by Her Majesty's Government and the other House of Parliament. He knew, however, that his noble Friend (Lord Stanley), whose absence he regretted, would tell them, as he did on a former night, that against that decision of the House of Commons he would set their decision of 1842. Now, unless he was to suppose that a House of Commons became senile and infirm, and incapable of judging, in the fifth year of its existence, he did not know why he was to reject a mature Resolution of the House of Commons, come to after much deliberation, rather than that which they had arrived at in the early part of their history. Another noble Friend of his (the Earl of Malmesbury) had told them that this measure had been passed, indeed, by a clear majority, but not by a clean majority. He would ask, however, if the former majority of the House of Commons was more clean than the present? He would also ask if they would ever arrive at any decision in the other House of Parliament to which they would attach the importance it demanded, without the exercise of some authority or influence upon the body of persons who composed it? All these decisions were come to, more or less, from influence or authority derived from the advice of those persons accustomed to use it; and it was not for that House to inquire into the motives that had entered into the conduct of the other House, especially when by a large majority they sent up, as on the present occasion, a Bill to settle a most important and difficult question. They had no doubt heard of Members of that House who had voluntarily revealed the circumstances, the times, and the extent to which, of late years, in their private meditations, they had differed from their public votes; but though they had made those revelations, he did not think that he had a right to drag them or their supporters into the confessional; it was

sufficient for him that they had altered their minds, and that their supporters had altered their minds also; he took the decision of the House of Commons as he found it, and received it as the undoubted decision of the representatives of the people. Before entering into that question which his noble Friend (Lord Ashburton) had discussed—the commercial view of the case—he wished to say a few words on two points, on which he had also touched, but which were to be considered as distinct, and preliminary to the consideration of the main question; because if these points were determined in the affirmative, they were such as would enable them to dispense with the trouble of entering into the commercial view of the question; he meant, in the first place, that question so great in the mind of his noble Friend (Lord Stanley), and so much put forward in the early period of the Session—the danger that would arise to this country from a dependence on foreign countries for grain. He would not at any length advert to what had been so well stated already by the noble and learned Lord (Lord Brougham), who said that all the gigantic influence of Bonaparte over the whole of Europe could not keep grain out of this country. He would just remark, that on that occasion human interests were stronger than Bonaparte, and that every one of his attempts were defeated. Look at the high price of grain during that time, said his noble Friend the late Secretary for the Colonies; and he seemed to think that he had raised an argument against the introduction of foreign grain; but did he not see that instead of suffering from high prices, and being subjected to scarcity, this country would then have fallen a prey to famine and starvation had it not been for the foreign corn that was brought into the country? So that this furnished a proof of the need there was for grain from other countries, to save their labourers from starving and their farmers from ruin. When he heard his noble Friends taking up the sliding-scale as that which best served the end of securing this country against dependence on foreigners, and was, in fact, the best of all the laws made on this subject, he must say he was surprised; for, if ever there was a law so contrived as to expose them to the danger of political animosity, it was the sliding-scale. In the case of a fixed duty, or free trade, there was a regular growth of corn encouraged; and it was ready to be brought into this country when there was a demand for it, and when people found it to be for their personal interest to do; so that here they had the security of private interest, to which his noble Friend attached so little importance in one part of his speech, and so much importance in another part of it. Was he to be told that the sliding-scale was a security against foreign dependence? Why, after proclaiming to all the countries of the world that they were in want—as the sliding of this scale would show—was not that the very time when foreign nations—if they were capable of the conspiracy which his noble Friend thought so natural, but which never had occurred—would not that be just the time for those hostile countries to cut off their supplies and reduce us to starvation? So that the danger of dependence which so alarmed his noble Friend, would be called into activity at a moment infinitely more dangerous than any that could occur under any other law. His noble Friend the late Secretary for the Colonies had told them not merely that he was alarmed at the danger of being deprived of supplies of foreign corn, but he took an opportunity of referring to the supply of cotton from America. The noble ex-Secretary for the Colonies said he thought that the noble Secretary for Foreign Affairs would feel more comfortable in the event of war, or even in the apprehension of war with America, if we were not dependent on America for our cotton. But was it not most singular, if this was the state of danger in which this country stood, that the last act of the Government in which the noble Lord concurred, was a measure to reduce the duty on the importation of that very cotton, and to contribute to the increase of the importation of that very cotton from America? On the whole, he really thought the subject of dependence on foreign countries was one which their Lordships would not do well to trouble themselves much about on this occasion. Apprehensions had been expressed by some noble Lords, that a considerable alteration in the social state of this country would be the result of this measure. In fact, it had been very much the fashion to consider this measure, both in this and other countries, as an intended alteration in the social state of this country. He confessed, that if the effect of this measure would probably be to make any such constitutional change, it would be the duty of their Lordships to pause and consider it very maturely; but, as he knew

of no constitutional change which the measure could effect, so he was convinced that there would not be the slightest diminution effected by the measure in the consideration and respectability which attached to the landed interest. In all countries, in the poorest and in the most wealthy, and not more in the former than in the latter, there would always attach an importance to the possession of land, which would give the landed interest an almost preponderating influence in the government of the country. In countries infinitely more commercial than England could be—in Holland, for instance, which was described by De Witt as able to extract nothing that could be required for its own use from its own bowels, or in Venice—how did the landed interest stand? There never had been countries in which the proprietors of land were more fully recognized as the proper heads of the social system. In short, he thought this measure could not possibly have any influence to diminish the importance of the House of Lords or of the aristocracy and gentry of this country. He believed it would leave them precisely as they were now. Coming to the consideration of the commercial principles involved in this Bill, he must say at once, that he did not altogegether approve of this Bill. But he and his friends, who were friendly to the general principles of the Bill, had a right to found themselves on experience. But, whatever his noble Friend (Lord Ashburton) might think of political economy, he (the Marquess of Lansdowne) and his noble Friends who supported the Bill, relied on experience as their guide, and its chief promoters were practical men; and it was those who supported a protective system that, in truth, relied on theories. He would say that restrictions on trade, as they had been introduced from time to time into our legislation, had been so many experiments, which experiments had failed, and having failed, had been abandoned one by one, not abandoned indeed without resistance at the time the abandonment was proposed; but abandoned without any attempt being subsequently made on the part of those interested in them to restore them to their former position. He ventured also to assert that this system of protection, which had been described as "the settled system of our ancestors," had never had any fixed shape whatever; it was always changing—and yet that system it was which their Lordships were called on to cling to, as if it was recognized by long experience and by the knowledge of the good it had effected. It had even been said to form part of our Constitution and religion, and he knew not what; but if it had formed part of our religion, it must surely have done so unknown to the right rev. Prelates, for, in that case, our religion had certainly never been the same for twenty years together. It had been said, that the proposed change would lead to inconvenience and injury. Every practical experience had, however, proved the exact contrary. Their Lordships would find instances of the truth of what he had said, if they looked to the changes which had been made within the last thirty or forty years; the changes, he meant, in the duties on wool, on silk, on hops, on timber, on feathers, and a number of other things. His noble Friend (Lord Ashburton) had said that Mr. Huskisson was the wisest man, in his opinion, that ever considered these subjects. In that praise he (the Marquess of Lansdowne) concurred; but one of the first efforts of Mr. Huskisson were not exerted in maintaining, but in destroying protection, by abolishing the duty on silk. That measure, however, his noble Friend (Lord Ashburton) had opposed; for he had no confidence in the wisdom of Mr. Huskisson at that time. Mr. Huskisson was aware of the consequences likely to ensue—he had weighed them well—he knew that misery or inconvenience to some portion of the labouring population would be the temporary result—he knew he should be called hardhearted if he persevered; but he did persevere, and what had been the result of that abolition of duty? At this moment such had been the increase of importation, 6,000,000 pounds weight of silk were used up in this country, instead of the 2,000,000 lbs. that had been consumed prior to the reduction. Was that a proof of the value of the system of our forefathers? Did his noble Friend find in that an instance of the injuries that would be done to our labourers by the removal of restrictions, it being clear that by the removal of the duties hundreds of thousands of labourers and their children had been called into existence, who but for it would never have found the means of subsistence? So it was with respect to wool. There had been an immediate increase in the value of the woollens made here. Then as to shipping—one of the things which had been dwelt upon as one instance of the mischief caused by a relaxation in these

laws had been the amount of the tonnage of this country. From the returns, it appeared that there had not been a diminution of shipping in 1845, as his noble Friend had stated. There was a Paper on the Table which had been recently made up, and which was particularly accurate in setting forth the state of our tonnage, and from this it appeared that in 1820 the whole tonnage in the ports of England was 2,648,593 tons; in 1832, 2,618,068 tons; that in 1832, they would find that the amount of shipping entered inwards was 2,938,870 tons; but in 1845, after the relaxation of our protective system had taken place, it was 4,665,817 tons; and this was called a diminution of tonnage suffering under a relaxation of duty. Could anything be stronger or more decisive as to the state of the shipping interest of this country? Until other figures were brought forward to confute these, he should say that English tonnage never had been in a more prosperous state than at present. He cared not that there was a greater amount of the tonnage of foreign countries in the ports of England than formerly; he considered that a source of additional satisfaction; he was glad to find that our tonnage having increased, that of other countries had increased too; he hailed these results, and he believed that both the one and the other were proofs that in taking off the duty, that had been done which was conducive to the interests of this country. But it was not the first time that these objections to prohibitory and protective laws had been advanced in that House and in the country, and that too by persons of the highest authority. He was satisfied that as experience had proved, the objection he referred to would be perfectly groundless; experience would also show that the present objections were equally without foundation, and that the result would be exactly the reverse of that which his noble Friend had predicted. In 1785, Mr. Pitt, who studied political economy, and who did not consider it so very awful a subject, but who always endeavoured to avail himself of it, and did so with great success, giving his authority to its application—introduced certain commercial propositions with respect to the trade with Ireland. Those propositions were founded on the principles of liberality in commerce. But there were not wanting persons then, as there were not wanting persons now, of high authority—there were not wanting then large masses of the people out of doors, as there were not wanting now, persons to say that the adoption of those commercial propositions would be the ruin and destruction of the country; and a near relative of the noble Lord the late Secretary for the Colonies (Colonel Stanley) whom he remembered as a most intelligent and high-minded Member of the other House of Parliament, came forward on that occasion, and presented a petition, enforcing it with a speech, in which he stated what the petitioners, who desired to be heard by counsel, stated, that there was that about to be done which would put the finishing stroke to the cotton manufactures in England. And what did their Lordships think that was? It was the admission into this country of Irish fustians and cottons. It was represented that their admission would put an end to the cotton manufactures in this country, and that the manufacturers, people, and children employed in it would all be set adrift. The propositions were withdrawn at the time, but they were subsequently carried into effect; and what had been the result? Unfortunately for Ireland, she did not produce cotton goods for her own consumption, and the cotton manufacture of England had not only doubled, but tripled, quadrupled, and quintupled. This was evidence as to how little that manufacture was dependent for support on the protective system. In the next year there came on under the auspices of Mr. Pitt, who was anxious to put an end to the protective system, certain Resolutions for a commercial treaty with France. These were debated in their Lordships' House—and here he might observe, that he wished the present proposition had been debated in the form of Resolutions before it assumed the shape of a Bill, because, by the course pursued, their Lordships were debarred of the opportunity of proposing any alteration in the Bill—with respect to the commercial treaty, the Resolutions proposed in the House of Commons were communicated to the House of Lords, and the treaty debated by their Lordships; and a person not of inferior authority almost, but of a different walk of life from the noble Lord (Lord Stanley)—a man eminent for knowledge and science, whom he as a boy recollected—Dr. Watson, the bishop of Llandaff—took up those notions of protection which his noble Friend (Lord Stanley) had taken up, and came down to the House of Lords and told their Lordships that they were overturning all the experience of their ancestors by this commercial treaty.

Following or rather preceding the example of the noble Lord (Lord Stanley), who appealed to the time of Edward IV., Bishop Watson came down and read the preamble of an Act of Parliament of the time of Charles II. And what did this preamble, embodying the wisdom of our ancestors, state? It said—

"That whereas it is universally known that the wealth of this country is disappearing and ruin is advancing, from money being sent out of the country to purchase French wines."

This was a sample of the experience of our ancestors, to which his noble Friend (Lord Stanley) had referred. Revering, as he (the Marquess of Lansdowne) did, the wisdom of our ancestors in founding the Constitution under which we lived—believing that they had laid that Constitution on the surest and most certain foundation, and had thereby contributed to the happiness and prosperity of this country, still he must say that his respect for our ancestors did not extend to any one of the nostrums which from time to time they had thought fit to apply to our commercial system. All the schemes invented by them, and founded on the protective system, had failed; and the noble Lord who presided over the Board of Trade, if he were to look over all the papers and memorials presented to that Board from time to time, would find that the commerce of this country had encountered more imaginary dangers than ever had been met with by any adventurer in a voyage, not excepting Sinbad the Sailor himself. If all those representations were to be believed, the commerce of this country had been almost ever at the brink of a precipice; but after a few years all apprehensions blew over, and the commerce of the country was always found to be upon a higher eminence than it ever attained before. He therefore again said that they had experience against, and not for, a protective system. But it had been said by some parties, that they were prepared to abandon protection for everything but the farmer. Now, nothing could lead him to believe that the British farmer was the only person in this country who could be advantaged by protection, considering the facilities of the means of communication in this country, with a certain and growing population—he could not bring himself to believe that the British farmer depended on the sickly atmosphere of protection, and that he could not derive his existence safely and honourably from his own labours, unaided by any delusive idea of benefit from the protective system. His noble Friend, whom he did not see in his place, had quoted Mr. Huskisson as the wisest of commercial statesmen. Now, he (the Marquess of Lansdowne) wished his noble Friend had quoted Mr. Huskisson's opinions as expressed in 1830 instead of at an earlier period. He (the Marquess of Lansdowne) begged leave to read some remarkable expressions from one of Mr. Huskisson's last speeches, delivered in 1830; and he would leave their Lordships, after hearing them, to judge whether Mr. Huskisson could be quoted as a person determined to maintain the protective system as regarded the Corn Laws:—

"Our Corn Laws," said Mr. Huskisson, in 1830, after the sliding-scale had been adopted, "however expedient to prevent other evils, in the present state of the country, are in themselves a burden and a restraint upon its manufacturing and commercial industry. Whilst the products of that industry must descend to the level of the general market of the world, the producers, so far as food is concerned, are debarred from that level. If the price of subsistence—that is, the price of those particular articles which we never export, and are frequently compelled to import—be materially dearer here than anywhere else, that dearness cannot be shifted to the articles which we do export; it must fall in the way of reduction either upon the wages and comfort of the labourer, or upon the profits of those who afford him employment."

These words were spoken in the very year when an unfortunate accident deprived the country of that statesman's services; and it was, therefore, impossible that he could have given any subsequent opinion upon the subject. Some noble Lords had spoken in terms of contempt of the opinions of the farmers; but he (the Marquess of Lansdowne) thought that every one would admit that there were no better informed persons of their class—no more long-sighted persons—none more intent upon procuring the best means of forming a correct judgment upon matters connected with their own interests than the Scottish farmers. Now, he had a list in his hand of the most recent lettings of six or seven large farms in the most important parts of Scotland; and, though those lettings had taken place in the present year, and one within the last week, since the Bill now under discussion passed the House of Commons, yet there was an advance on all those lettings varying from 10 to 25 and 30 per cent. Nothing was more clear, therefore, than that, if agriculture was to be ruined by the measure before the House, the Scotch farmers were exceedingly neglectful of their own interests, and

would be handed down to posterity as the greatest of all possible dupes. He had always understood, however, that forgetfulness of their own interests was the last thing of which the people of that country could be accused. Again, they were told that though the system of free trade was good for other things, it was not good for the produce of the soil. But they had happily experience in its favour, with respect to the produce of soil, as in other things. They had experience to a remarkable degree in a very important article of agricultural produce—he meant flax. Flax, as their Lordships were aware, was formerly protected; that protection was, in a great degree, withdrawn in 1824. It was finally and entirely removed in the year 1842; from that moment flax became an unprotected article. He believed that the usual ceremonies were gone through of memorials to the Board of Trade, petitions to Parliament, and deputations of Members of Parliament to the Treasury, representing all the mischiefs that would ensue from the withdrawal of protection. Now he begged the attention of their Lordships to the actual effect of this withdrawal of protection from the article of flax. The produce of Irish flax in 1841—a year before the withdrawal of all protection—was 25,000 tons. Two years after protection was withdrawn, it amounted to 36,000 tons; so that unprotected flax, instead of falling off, progressed with unaccountable rapidity, in spite of the terror and alarm which were felt by many at the time the protection was withdrawn. He begged still farther to call their attention to the evidence contained in Lord Devon's Report. That Commission sat in the north of Ireland, and among others they examined an intelligent witness named Blake, who was asked what was the state of the cultivation of flax? He answered that it was daily becoming more prevalent. Another witness, named M'Cullough, was asked whether he considered flax a remunerative crop? To which he replied, that of late years it had become a remunerative crop. He (the Marquess of Lansdowne) had thus given their Lordships the evidence of figures, and the evidence of people residing in the country where flax was most extensively cultivated, that the removal of protection from flax had been immediately followed by an increased cultivation of that article. But perhaps some noble Lord would tell him that increase was owing to the prosperity of the linen manufacture. That argument, however, would not do; for the fact was, that protection was withdrawn from the linen trade at the same time, or rather he would say, the linen trade was relieved from protection, and placed in a situation of independence. He therefore repeated that he was of opinion with Mr. Huskisson—he did not mean Mr. Huskisson's earlier opinion which the noble Lord had quoted; but his last opinion, which the noble Lord had omitted to quote —that the Corn Laws were an impediment to the commerce and manufactures of this country. That was the dying opinion of Mr. Huskisson. If those who had in former days considered the removal of protection a dire calamity, had only been permitted to revisit their country in later times, they would have seen few or none of their vaticinations realized. The noble Lord the late Secretary of the Colonies, and others, had talked of the danger of the too great prosperity of manufactures. But he would ask, how had the agricultural community reached that eminence of prosperity it had now attained, but by the agency of manufactures? They were told last night by a noble Lord on the other side of the House, that they heard too little of the importance of the home market to the manufacturer, and that it was to that the manufacturer ought to look. But was the home market not also of importance to the agricultural interest? He had recently been reading an historical account of the county with which the late Secretary for the Colonies was immediately connected — he meant Lancashire. And what did he find there? Why, he found that in the course of 150 years the property in the county of Lancaster had advanced in value 6,300 per cent. But noble Lords might say that this was in the manufacturing districts. Now, in the three hundreds, which were chiefly agricultural districts, the property had advanced 3,500 per cent. Did their Lordships believe that, if in the manufacturing part of Lancashire property had not advanced 6,300 per cent, it would have been possible that in the agricultural districts it would have advanced 3,500? He therefore said that it was exceedingly short-sighted not to consider manufacturing prosperity as part and parcel of the universal prosperity of the country, as much so as agricultural; and, although it was part of the necessary law of nature that manufactures should be subject occasionally to revulsions of trade, just as agriculture was exposed to occasional revulsions from the difference of seasons, he could not bring

himself to regard manufacturing prosperity as a morbid secretion which it was the duty of the state physician to purge and keep down, instead of allowing it to take its natural course, and feed its operatives with the food from the cheapest markets. A noble Lord opposite had asked, not him (the Marquess of Lansdowne) personally, but many noble Lords on that (the Opposition) side of the House, whether they thought they could, consistently with the opinions they formerly entertained, support the Bill now before them? In reply to that he begged to say, that he had never concealed his opinion on this question. He had years ago stated it on that (the Ministerial) side of the House, and he had afterwards stated it on this (the Opposition) side of the House, and he had omitted no opportunity of stating his preference for a fixed duty as a mode of settling the question. He thought a fixed duty was preferable in the first place, because he was unwilling greatly to impair the revenue derivable from the Customs; and he was not ashamed to own that he had also supported it because he thought it most desirable that in all great changes of this nature, the sentiments, and even the prejudices, of large bodies of men should be consulted; and it had appeared to him that the proposition of a fixed duty was calculated to conciliate the support of those who were connected with what was called the landed interest, so that this question might be settled in a manner satisfactory to them as well as to other interests in this country. These were his opinions on the subject; and if he had had the settlement of this question in his own hands at present, he would have proposed a measure in accordance with those opinions. But the question he was called upon to answer was this —whether, if he voted for an Amendment calculated to promote his own views on the subject, he would not, in fact, while nominally voting for such an Amendment, be really voting against the settlement of the question? He could not disguise from himself, after the sentiments expressed by the right hon. Gentleman at the head of the Government, who possessed great influence in the other House of Parliament—after what had occurred last November, when his noble Friend the Member for the city of London (Lord J. Russell) published a letter to which he (the Marquess of Lansdowne) was not a party at the time—and after the general opinions which had been expressed in favour of an alteration of the law both in-doors and out of doors, that if an amendment were carried which had the effect of throwing out this Bill, they would not obtain a fixed duty, but that a measure of a totally different description would be adopted. Under these circumstances, he felt, upon the whole, that in order to obtain a settlement of this question, he was bound to accept the Bill as tendered by Her Majesty's Government, and which had received the sanction of a majority of the other House of Parliament. His opinion on this point was confirmed by the Speech of his noble Friend the late Secretary for the Colonies (Lord Stanley), who had directed the whole strength of his argument quite as much against a fixed duty as against the present measure—who had steadily taken the high ground of protection—and who had advocated the maintenance of the present law not for the purpose of revenue, but of protection; for that noble Lord had shown that no aid could be hoped for from him in the enactment of a fixed duty. He must say, that in anticipating the results of this measure, in connexion with the rise or fall of the price of provisions, he neither shared the apprehensions entertained by the noble Lords on the cross benches, nor the exaggerated expectations which, as he thought, were indulged by noble Lords opposite. He did think, however, that the Bill would be productive of great and lasting benefits to the country by promoting a gradual and certain extension of commerce, based upon a solid foundation. He hoped and believed that, in this respect, the measure would contribute to the wealth and prosperity of this Empire; and that, after the lapse of a few years, it would be difficult to discover what particular class had derived the greatest benefit from its operation. He was confident that the exertions of the British farmer would save him harmless even from any temporary injury. He could not adopt the opinions on political economy expressed by one of the greatest poets of this country, in one of his most beautiful productions:—

"That trade's proud Empire hastes to swift decay,
As ocean sweeps the labour'd mole away."

But he could adopt the sentiments embodied in the two succeeding lines, and apply them to the landed interest and the farmer of this country, that—

"——— Self-dependent power can time defy,
As rocks resist the billows and the sky."

On these grounds he felt bound to give his most cordial assent to the Bill now before their Lordships.

The EARL of ESSEX said, that as the measure before them was important, not only in itself, but as involving the political character of many of their public men, he felt anxious to state the grounds upon which he intended to vote; and he claimed their Lordships' indulgence the more, because he felt himself placed in the painful position of one about to vote in opposition to those with whom he had hitherto cordially acted. He had not arrived at the conclusions which he now held without much doubt and difficulty. On the one hand, he had been influenced by opinions which he had long believed to be well founded, and which he had frequently expressed both in public and private; and, on the other, his convictions had been shaken by late events—by the facts and arguments which had been brought before the public—by the opinions expressed by many of the leading statesmen of the present day, and by the convictions avowed, not by the Brights and Cobdens, or the Members for Birmingham or Manchester—talented representatives as they were of the manufacturing interests—but by statesmen, by many of their Lordships, and by large landed proprietors, who had adopted the principle of the measure, and whom he could not bring himself to believe had done so from any party motive, but rather from a conviction that the measure would prove beneficial to the country, without inflicting any injury upon the agricultural interest. Since he had occupied a seat in that House he had generally supported the measures brought forward by the Government; but, on occasions when he had differed from them, he had not hesitated to declare his opinions. In this instance, feeling most unwilling to add to the embarrassments with which the Government were surrounded on this difficult question, he would, had he entertained any doubt as to the course he should pursue, have considered that the Government were entitled to the benefit of that doubt. He confessed that he had now no doubts whatever upon this subject, and was prepared to give a conscientious, willing, and hearty support to this Bill. He and others had been taunted with the sudden change in their opinions; but long before this measure was introduced he had entertained sentiments in entire unison with it. He had long advocated the admission of foreign corn for feeding and fattening of cattle as likely to be of the greatest benefit to this country; it would encourage the farmer to keep a larger amount of stock, and by that means to improve the quality and produce of the soil. He hoped still to see the day when there would be an abundance of meat and bread in the market, the produce of our own soil, at lower prices than the present; and he was satisfied that the increased consumption would remunerate the producers of that abundance. Among all the fallacies entertained by farmers none was greater than that high prices, irrespective of other circumstances, were the best for their individual interests. He wished them to believe the contrary; and he was satisfied that, by a liberal employment of capital—by the active exertions of skill and energy—and by the explosion of old and unprofitable modes of farming, and the adoption of new ones, founded on wise experience, the produce of the soil might be increased to that degree as to enable them to sell it at a moderate price, and to obtain a remuneration for their labour. However great the produce of their land, they might rest assured that there would be found mouths enough to eat it. Imputations had been cast upon him in another place in respect to this question; and it was stated that at a recent meeting of the Farmers' Club in Hertfordshire something had fallen from him to the effect, that he was altogether indifferent as to what should befall the small farmers of the country. That, however, he most decidedly denied; he had never said anything to that effect, and never would say it. What he did say was, those who would suffer in the change were farmers who had capital sufficient for their purposes, without the courage or the skill to use it, and those who had no capital at all. He could not see, for his own part, how it was possible to carry on the business of farming, which required to be well conducted, and a very great amount of capital, without any capital at all; and success in that, as well as in other trades, was quite impossible without that requisite. He would not yield to any man in his respect for the farmers as a class, nor in his good wishes for their prosperity: he looked on them as an essential element in the framework of society; and he believed that on their prosperity depended mainly the prosperity of the country at large; but still he was of opinion that the thing most to be deplored was the insufficiency of capital among them, and their consequent incapability of doing themselves or their occupation justice. Many causes concurred to that result—some wished, it might be, to occupy positions above their means;

others had the ambition to hold large farms, many occupying 200 or 300 acres, when their capital was enough only for 100. In his opinion, if they were content to work with their capital, and up to their capital alone, they would be far better circumstanced. That was practically the opinion of that great agriculturist the Earl of Leicester, who would not give a farm to any man unless he had 10*l.* an acre to spend on it; the result of which was a body of tenantry unequalled in the entire country, who multiplied the stock upon their farms, who were able to find employment for their labourers, and who had capital enough to bear up against those losses to which farmers, in common with all other trades, were so liable. It was asked what, in that case, would become of the large farms of 1,000 and 1,500 acres? To this he would answer, that there would be always found a sufficient number of persons hitherto unconnected with agriculture, who would embark their capital as readily in this as in any other business, when there was a fair prospect of return for it. Still, if more capital were employed in the small farms, it would be better; and men of capital, who were not now connected with agriculture, were ready to take them. If these persons were not themselves fit to take the command, they could procure men as bailiffs, who were ready to manage their farms. To his mind, it was one of the best signs of the times that men not connected with agriculture, were ready to embark their capital in agriculture; and it was further a matter of congratulation, as it kept up the connexion between the commercial and manufacturing classes. He was at a meeting of the breeders of stock in the country, at which he broached these opinions, and a solitary cheer was all the response he got; one gentleman, indeed, told him, that he wished to put the little key in the lock to open free trade. He was not then prepared to vote for that contingency; but the times had changed since that period. Free-trade principles were now promulgated by Ministers, and carried by a large majority in the House of Commons. His conversion to his present opinions was at least disinterested. He had never asked anything from the Minister; and he hoped it would not be imputed to him that his motives were of an interested character. He had made a sacrifice of his character for consistency, in the firm hope and belief that this measure would be beneficial to themselves as well as to the country at large. He believed the measure must pass; and he thought it better that their Lordships should make a present sacrifice of their opinions, rather than perpetuate a state of bitterness between the two great interests of the country. The doubt hanging over the landed interest had rendered it impossible to enter into contracts between landlord and tenant; and this state of things was almost as injurious to that interest as the measure now under their consideration could possibly be. He would not then enter on any arguments in respect to the question; but he could not sit down without expressing his regret that, in the preparation of the measure before their Lordships, more consideration was not shown to the agriculturists, in respect to the special burdens upon land that existed in this country. He confessed he thought the present was a most favourable opportunity for introducing and carrying out such a measure as that which was now proposed by Her Majesty's Government. Seeing that a great change had been wrought in the minds of many who considered, even in the year 1842, that a certain amount of protective duty was absolutely essential to the welfare of the agricultural interest; that those who once thought a 40*s.* duty indispensable now would be content with 20*s.*, while those who had been for a fixed duty of 8*s.* would now be ready to compromise for 4*s.*; seeing that even the noble Duke on the cross benches was disposed to make a relaxation in the opinions he had entertained, and that it was no longer possible nor desirable to maintain the present system of Corn Laws, he did not think it all disgraceful or dishonourable to avow that his own sentiments had undergone a change on this subject, and that it was more wise and politic for them as legislators and landlords to adopt the course proposed by the Government. It was on these grounds that he would give his vote for the present measure, in which he believed were involved not only the improved condition of the poor, the social advancement of the labouring classes, the extension of commerce, and the general prosperity of the agricultural interest—a measure, too, which he ventured to hope would not only receive the sanction of their Lordships, but would also meet with God's blessing and approbation. He supported it also in entire confidence in Her Majesty's Government. It was of no use to talk of consistency, unless everything around them was fixed and immov-

able. But was that the state of this country? Even if he had not changed in his opinion on this subject, he never would have joined in the outcry which had been raised against the First Minister of the Crown. He would not concur in the accusation of political cowardice which had been made against that right hon. Baronet; and even if he stood alone in the matter, he would bear testimony to the great moral courage which that right hon. Gentleman had evinced, in sacrificing as he had done all party considerations in introducing a measure which he conscientiously believed to be for the benefit of the Empire. He hoped that Sir Peel's present policy would prove as successful as that commercial policy of his which had rescued the finances of this country from "the slough of despond" in which the kingdom was when the right hon. Baronet resumed the reins of office; but he had to say, in conclusion, that not only those men who had so long and so strenuously urged the abolition of these laws, but those who had consented to the attempt to remove them, in consequence of a conscientious conviction of their inexpediency, would be looked upon by posterity as the benefactors of their race; and the Minister under whose auspices the change was carried out would be regarded, when all the circumstances of the case were considered, as one of the most successful and sagacious legislators that ever swayed the destinies of this Empire.

The Earl of EGLINGTON said, that since he had the honour of seconding the Address in Answer to Her Majesty's most gracious Speech from the Throne at the commencement of the present Session, he had never addressed more than a few words to their Lordships; and he trusted that, upon this question, so important to the country, they would excuse him for occupying a very few moments of their time. Like the noble Lord who had just sat down, he had no hesitation as to the propriety of the course he was pursuing; but, unlike that noble Lord, he had not changed his opinions, for he still adhered to those great Conservative principles which it had been his pride to avow ever since he had the honour of a seat within their Lordships' House—and he trusted, if on a future occasion he should ever again address their Lordships, that his speeches would not evince such a total change of opinion as some which they had lately heard. No one was more convinced than he was of the necessity of not running hastily away from party ties, or of separating on light grounds from those whose talents or whose conduct had made them leaders. He believed that it was necessary for the well-being of the State that there should be two or more parties in both Houses of Parliament, both equally solicitous for the good of the country, but arriving at their conclusions by totally different reasoning and arguments, each watching the movements of the other, and sifting their intentions and measures to see whether they were good for the universal well-being or for the good of the country; and that those parties should submit to be guided by one or two great minds; for it would be quite impossible to proceed with the business of the country if they were all to advocate their own individual opinions. But there was a bound beyond which party feeling could not go. There was a bound where the proceedings of our leaders might become reprehensible; he regretted to say that they had arrived at that bound, where this great principle must cease; he thought that they must be considered to have arrived at that bound when the measures of their leaders would force them to give up opinions which they had held during all their lives, when that man who had become their leader, and had with such great eloquence inculcated those principles—when that leader so prostituted his eloquence as now to come forward and oppose with the same unrivalled talent those very principles which he formerly advocated; then, indeed, it must be held that further obedience became reprehensible, and it became public men to act upon their own convictions. He had not the slightest intention of being personal. A great occasion like the present was not the time for invective, or for ascribing interested motives to those who had undergone such a change as they now witnessed. Much as he deprecated the Ministerial line of policy, he was willing to believe that Her Majesty's Ministers, in the conduct they had pursued, and were pursuing, were actuated by no other motive than an ardent desire to promote the good of the country. Although he thought it singular, that out of the thirteen noble Lords and right hon. Gentlemen, only one should come out unscathed, and true to the principles which had placed him in power, still he was perfectly convinced that the remainder were not actuated by any base desire of retaining office, but by a weak and extraordinary deference to the views of their leader. He would now proceed to inquire what causes

had led to the late wonderful changes of opinion. The noble Earl, who had moved the second reading of the Bill, had denied that the failure of the potato crop was the primary cause ; but it was so stated by the Prime Minister when bringing in the Bill. He believed that although the statements on that subject had been greatly overcharged, still that they were not wholly without foundation. He believed that in Ireland, usually on the verge of starvation, a partial failure of the potato crop had caused a considerable amount of suffering; and if he thought that the passing of this Bill would preserve a single family from destruction, it would be a great inducement to him to support it ; but he feared that its success would be attended with far different results. If Ireland was to be benefited by legislation, it was by measures leading to the encouragement of agriculture, and the reclamation of waste lands, and not by a Bill which was likely to put a stop to domestic agriculture altogether. But they had been told that the farmers were a pampered race ; that they had been made slothful by protection. No doubt many of them had not been so active as they might have been; no doubt that it could be well if they united the scientific knowledge of Liebig with the practical skill of Smith of Deanstown; but he could not understand how the competition to which they were about to be exposed, could lead them on to such a course of improvement. To make improvements the farmers must have money; and where were they to get money if the Legislature destroyed the market for their corn ? Injurious as this measure would be to England and Ireland, he feared that it would affect Scotland, in which country he was more immediately interested, in a nearly equal proportion. In the west of Scotland there were poor landlords and wet lands. The farmers lived like labourers, and had arrived at a greater pitch of agricultural skill than most men in their way of life. They were prepared to do everything that men could do; but how could they compete with the foreign cultivator if the price of corn came down to 35*s*. the quarter ? They had invested their small capital in improvements, and now, when they expected some return, a cloud came across the political horizon, and destroyed all the sunshine of their hopes. It had been urged that they were to be benefited by competition. Now, as regarded competition, he should like to know, if a new railway were projected alongside of an old established one, whether the latter would be benefited by the competition ? He believed that there was not a railway director in the kingdom who would answer in the affirmative. And yet such was the state to which the farmers were about to be reduced. Perhaps the result would be something like the case of the two coaches which carried the passengers for nothing, and at last gave them a good dinner into the bargain. This was very pleasant for the passengers as long as the competition lasted; but the upshot was, that both establishments became bankrupt, and the road was left without any coach at all. Cheap bread might be a good thing, but they should also see that the people had the money to buy it; they should take care that as prices were reduced wages did not become lower, and also, that ultimately foreign producers, seeing we were at their mercy, did not conspire to make bread dearer than ever. He believed that it was the hope of low wages, and not of cheap bread, that had produced the Cobdens and the Brights, and the quarter of a million fund. It was that which stimulated the attempts making in every direction to usurp the electoral franchise of the country. This was not so much a landlord's or tenant's as it was a labourer's question. The labourer might see savoury viands in the shop-windows; he might hear that carriages had become cheaper; but if his wages were reduced, he would soon wish to see dear bread again, provided it brought back with it its former concomitant —fair and remunerative wages. They had been told that the right hon. Baronet at the head of the Government was induced to propose his late free-trade measures by the success of his Tariff in 1842. Perhaps three years' experience of the present measures might lead him to some change equal to a repeal of the Reform Bill, or the destruction of the Irish Church. There were very few indeed of their Lordships, he felt assured, who approved of the Bill itself, however circumstances might induce them to deal with it. As to himself, he considered there was never a case in which their Lordships were more called upon to reject a measure sent up from the other House; never a case more urgently requiring their interposition to save the country from the effects of rash legislation elsewhere; never a case in which they were more called upon to make necessary an appeal to the country. The mere temporary change of Ministry that had oc-

curred a few months ago, the half-dozen Cabinet Councils, the two or three trips down to Windsor Castle, and the two or three meetings in Chesham-place, did not represent the feelings of the country, nor did it follow at all from the result of these proceedings of the chiefs of the two parties that any change had taken place in the opinion of the people on this subject. What that opinion was might be clearly understood from the fact, that the late Ministry was turned out of office because they were opposed to protection, and that the present Ministry came into office on the sole pretence of their being champions of protection. It appeared to him, that if their Lordships did not, under the circumstances, exercise their prerogative in behalf of the people, the question might very fairly be asked—"Of what use is the House of Lords?" and he, for one, should have some difficulty in answering the question. If, when an appeal had been made to the people, it should appear that the people's opinion had changed on this subject, and that they were in favour of free trade, he, for one, was not prepared to say that their Lordships would be justified in opposing the wishes of the people. As it was, there being no reason whatever to suppose that the public had altered their views, he called upon their Lordships, as the hereditary guardians of the people, to reject this measure—he called upon the noble Duke, but for whose consent this Bill would never have been brought before them, to come forward and once more save the country that he had already so often saved. He implored their Lordships to refuse any share in a legislation which involved such discredit upon the character of British statesmen.

Lord BEAUMONT said: I will not allow this debate to be crushed, and if the noble Earl (Earl of Dalhousie) persists in attempting to do so, I will move an adjournment and divide until I succeed in carrying the Motion. I am surprised at the noble Earl's endeavours to prevent my addressing the House, because an understanding had been come to, that after one more speech on this side, he should be allowed to conclude the debate; and I actually whispered to him across the Table that I would purposely avoid going into the details of the question at any length, feeling as anxious as he is, and as all your Lordships must be, that this debate should come to a close. It was my intention when I rose to have given a promise to the effect that I would confine within a very small compass my remarks, although I must confess it is with pain and reluctance I do so, because I feel much on this subject; I have studied it attentively, thought much on it, listened to every speech which has been made in the course of the debate, and though the subject has been ably handled, I think there are still some important points which have not as yet been alluded to. But my Lords, notwithstanding my strong feeling on the question, and natural anxiety to go into it at length, I will do violence to my own feelings, and give now the pledge I should have given if not interrupted by the noble Earl. If, therefore, your Lordships will lend me your attention for a few minutes, you will find I am not going to abuse your indulgence. If, my Lords, in the few remarks to which I intend to confine myself, I do not dwell on that portion of the subject on which so much stress has been laid in the earlier part of this debate, namely, the great change which has come over noble Lords' minds, I trust your Lordships will not attribute my silence to the small value I may be supposed to attach to consistency of character in public men, or imagine for a moment that I underrate the necessity of political honesty. I feel as sensible as any man the serious shock which public morality must have sustained by the sudden adoption by the present Government of this injurious and uncalled-for measure; and if the question of the conduct of Ministers were brought forward in a separate form, I should think this House justified in notifying by a resolution their condemnation of the flagrant dereliction of their avowed political principles; and if such a resolution was submitted to our consideration, I should not hesitate to vote for it. But on the present occasion I would fain have seen the discussion confined to the merits of the Bill at this moment before us. I wished to have seen the question considered exclusively whether or no you are now to abandon altogether the principle which has for so many years guided your commercial policy, and if so, whether or no the measure proposed by Government is the best mode of accomplishing the object. These were the grounds, my Lords, on which I hoped to have seen this question discussed, and the only grounds. I need not say how completely my hopes have been disappointed, for with the exception of the noble Marquess on this side of the House, and the

noble Earl who sits near him, no attempt has been made to defend this measure on its own merits, nor any argument put forward for its unqualified adoption. None at least have been advanced by the Government; for what was the case with regard to the noble Earl who opened the debate and moved the second reading of the Bill? Did he not devote nearly the whole of his speech to a defence of his own conduct, and waste a long period of the time in endeavouring to reconcile his present vote with his principles by avowing that all his former votes were in violation of them? To excuse the single vote he was about to give in accordance with his now acknowledged devotion to free trade, he brought forward a long list of votes he had given against his long but secretly-entertained opinions. That portion which was by far the longest of the noble Earl's speech may have been conclusive; and your Lordships have the satisfaction of now knowing, that in the noble Earl you have long had a sincere advocate of the doctrines of free trade, although he never ventured to acknowledge them, but invariably did his utmost to prevent their adoption. In the remainder of the noble Earl's speech an attempt, but a very feeble one, was made to draw an argument in favour of the measure from the position of Ireland. After partially abandoning the famine, he said it is perfectly true that a considerable quantity of grain has been imported into this country from Ireland notwithstanding the distress there; but, added the noble Earl, the motive of this exportation of grain was to get money here where the market was high, in order to purchase other food in Ireland where the markets were lower. And yet in the very next sentence the noble Earl told you he was about to take away the very protection which kept that high market open to Ireland, and thus cut off the only source from which Ireland could receive money to meet her distresses. This measure has along with its other evil qualities the additional misfortune to prevent a certain good coming out of a great evil. The potato disease in Ireland, much as it was to be lamented, might have led to some good results: it might have taught those improvident people no longer to rely solely on one kind of green crop, but to see the advantage of sowing a greater breadth of white crops, so as to have the means of raising money by exporting their corn to the high markets of England whenever seasons obliged them to purchase food in consequence of their own potatoes failing. In fact, I believe that had it not been for this ill-timed measure, much more attention would have been paid in Ireland to the cultivation of wheat. which, if the people of that country were too poor to consume themselves, they might have sold in England, and thus been enabled with the profits to have bought abundant though cheaper food. So poor a case did the noble Earl make out of his single argument on the merits of the Bill, that I felt regret at seeing the noble Lord (Lord Stanley) rise to oppose the measure so early in the debate, lest he should waste his strength in combating a shadow, as no real or substantial case had been set up on the part of the Government. The noble Lord, however, did for his opponent what his opponents could not do for themselves: he first set up each argument ever raised in favour of free trade, placed it in the very strongest position, and then deliberately and completely demolished it. Some of the statements made in that extraordinary speech were commented upon by my noble and learned Friend. It had been shown that in our trade with Russia we took more goods from her than she took in return from us, leaving the inference to be drawn that the balance was made up by the export of gold. My noble and learned Friend said, no matter if we did send gold in exchange for corn. Now I perfectly agree in the opinion that if we take from Russia grain and other raw materials to the amount of four or five millions, she must take in return from us four or five millions as the case may be—that is, an equal value of manufactured goods or gold, and that it matters little whether it be gold or manufactured goods, provided when in the circle of trade that gold returns to our shores, we buy it back on the same terms as we send it out. The gold will certainly return, not directly from Russia, but through other countries trafficking with Russia. For instance, Russia requires the products of Turkey, Persia, and other countries being articles of produce which her own soil does not afford her. She exchanges the gold she receives from us for these products of other countries; and these other countries send us back the gold in return for our manufactured goods whenever there is a balance against their export trade to this country. But then there is this further consideration. The gold when it leaves our shores represents a certain quantity of labour in

this country: when it returns it represents a certain quantity of labour in the country from which we export it. Its value depends upon the value of labour in the country which returns it for goods; and thus when we buy it back, it requires more goods than it represented in this country before it left it. This accounts for what was stated by a noble Earl last night: the noble Earl said British goods are selling very cheap in many foreign markets; and I have heard it stated that at Trebizonde, Teheran, and Smyrna, English manufactured cottons were cheaper than in our own markets. In our trade with those countries our exports exceed our imports, and the balance is made up by returns in gold; but the price paid in goods for the gold is in proportion to the quantity of labour that gold represents in those countries; and as labour is cheaper in those countries than here, the quantity represented by the gold is greater, and consequently a greater quantity of goods is required in return for it. This accounts for the extraordinary difference in the prices of the same description of British goods in different markets, and explains the cheapness the noble Earl alluded to. I will now bring evidence in support of the small profits I have been contending that our foreign trade brings in comparison with our home trade. [*Interruption by Lord Brougham.*] I never was deterred by the noble and learned Lord's interruptions from freely commenting on his erroneous arguments: nor will I now submit to his irregular interference. To proceed with the subject: our exports depend upon the extent of our imports, and therefore you say, let us increase the amount of our imports of corn, in order to extend the export of our manufactured goods. But I argue that your export trade is limited by other causes independent of the Corn Law, and that the manufacturer's profits in the foreign trade are much smaller than in the home market, and that he will injure the latter if he attempts to bolster up the former by a repeal of the Corn Law. I refer to the evidence of Mr. Greg, as given before the Land Burdens Committee, in support of what I have said as to return cargoes:—

"We now export largely of those goods which are calculated for the Chinese market, that is to say, shirtings and yarns. The exporters are selling at less and less prices; then, as to the articles they want as returns they bid higher and higher, and between the two they are now completely fast, and there is a heavy loss on every transaction."

Such is Mr. Greg's account of our trade with China; and yet to extend such an unprofitable system as this, you call upon us to endanger a portion of our home markets. If the value of labour in this country was reduced to the level of the value of labour in the countries we trade with, and from which we take gold in return, there would be the same gain in such foreign markets as in the home markets; and it would not matter if the exchange was carried on through the circulation of gold or not, for it would not require a greater quantity of goods to purchase it back than it represented when circulating in this country. I fear, therefore, that any great extension of our imports would eventually tend to lower labour in this country to the continental level. The great object, however, of the free trader is to extend our trade by increasing our imports of corn. Let us, therefore, see what room there is for this increase without displacing our home produce. The population of England and Wales is 16,000,000; each person is supposed to be capable of consuming one quarter of wheat. It is stated that in England and Wales there are 20,000,000 acres of arable land; according to the four-course system of farming 5,000,000 acres would be in wheat. Supposing that each acre yields three quarters of wheat, that is less than many lands bear—but a fair average—the quantity produced would be 15,000,000 quarters, being only 1,000,000 less than the whole quantity required for the consumption of the country. That 1,000,000 is now made up by importations from Ireland, the Colonies, and foreign countries. The power of this country to consume wheat is limited to sixteen million quarters; and as fifteen are produced here, any import over and above 1,000,000 must displace British corn in the market. It should be remembered, that in England the lowest description of food of the poorest people is wheaten bread. It is the last resource, the last article to which the distressed artisan is reduced; he never falls back, as the people of other countries, on roots, or oats, or rye, but he invariably at the present day considers wheaten bread as the humblest food to which he can be reduced; he looks for nothing between that description of food and starvation. There are returns accessible to all your Lordships, which show that during the periods when distress prevails in Leeds and Sheffield, the consumption of wheat is greater than when trade is flourishing, and

the artisan receiving high wages; because, when well paid, the people are enabled to purchase butcher's meat, and consequently substitute meat for an extra quantity of bread. When, on the contrary, the shambles are deserted, and the people can no longer afford to indulge in the luxury of meat, they consume an additional quantity of bread, and thus results the increased demand for wheat. It follows, then, from what I have said, that an improvement in the condition of the people will not increase the demand for wheat, but rather decrease it by enabling them to indulge in meat or a superior kind of diet. I therefore affirm, and I do so advisedly, that there is no deficiency of corn, and little room, if any, for an increased importation from foreign countries, unless you withdraw some of our home produce. The most modest, however, of the free traders state, that at least 2,000,000 quarters of corn will be brought to this country over and above our present imports, and to that extent our export of manufactured goods will be extended. True; but if even in seasons of depression when the people are reduced to bread as their only food, 1,000,000 quarters is the utmost additional wheat they can consume over and above our home produce, where are these 2,000,000 to find a market unless 2,000,000 quarters of English wheat be withdrawn? My noble Friend (Earl Grey) has allowed that in many seasons we produce sufficient, and some years more than sufficient corn. He said this had been the case, and would be the case again, notwithstanding any alteration of the law. If so, on what grounds are the expectations of those free traders founded, who assert that our trade is to be increased simply by the facilities our merchants will have of disposing of their goods in return for foreign corn? In fact, you are reduced to the alternative of either displacing your home-produced corn, or of acknowledging that there will be no large increase of your foreign trade. My noble Friend also allowed that there would be great variation in the demand for foreign corn, on account of the great variety of the seasons. Away then goes the favourite topic of a regular trade. It stands to reason, my Lords, that regularity in the corn trade is impossible: demand and supply depend upon seasons; and I am glad to find my noble Friend abandons the doctrine preached in the manufacturing districts, that this measure would lead to a large, a regular, and a permanent trade with the corn-growing countries. The noble Marquess, however, revived the fallacy, that if we adopted free-trade principles, the foreigner would be able to calculate the demand and regulate the supply, sending us each and every year a fixed and regular quantity; but how does this opinion agree with the previous statement, that in some years we produce sufficient for the wants of the country? In this supposition of a regular trade, the foreigner is to send us corn whether we want it or no. "At present," the noble Marquess added, "you give the foreign grower warning, letting him know when you are in distress, and when you have abundance." Why, that is exactly what I wish. The sliding-scale lets him know when we want corn, and makes it his interest to supply us with it; in the same way it tells him when we have enough of our own, and shows him the disadvantage of exporting at that period. But, my Lords, it is absurd to think of concealing from the foreigner the state of this country, or the quantity and quality of our harvests. He will know, under any system, the state and prices of our markets. But it was argued by the noble Marquess, that the foreigner having a knowledge of the state of our markets, could easily stop the supplies during disturbed times; but how does this assertion agree with the statement of my noble and learned Friend, who, I am happy to say, is not likely at present to again interrupt me. The noble and learned Lord stated, that Napoleon, in the meridian of his power, when the ports of Europe were under his control and the nations at his feet, could not prevent corn from coming into this country, when the people of this country really wanted it. Yet it is argued that the sliding-scale deprives this country of the corn in time of need; which, I ask, is most powerful, Napoleon in the very zenith of his greatness, or a duty of a few shillings? Why, my Lords, it is absurd to suppose, after such an illustration of the case, that either the foreigner can withhold the supplies, or the sliding-scale shut them out at periods the people of this country really stand in need of foreign importations. The sliding-scale merely keeps back the supplies when you do not want them. The question had been asked, what should prevent the British farmer from competing with the foreigner? The answer is, simply that they do not come into the market on the same terms. The English farmer brings a heavily taxed article into the market, to meet and compete

with one totally exempt from taxation. The English farmer brings 15,000,000 of quarters into the market, on each quarter of which he has paid during the course of production at least 4*s.* or 5*s.* in direct taxes and rates: the foreigner brings in, or is to bring when this Bill passes, his 2,000,000 or 3,000,000 of quarters, in the cultivation of which, if a Russian, he is liable to no rate or tax whatever. In other articles, when the home producer contends with the taxed produce of the foreigner or colonist, you put a countervailing duty on the home produce, in order to equalize their position, and balance the market. You do this on hops, British sugars, and would do so on tobacco if grown; but by this Bill the Russian corn-grower, who pays no taxes on his land, meets the English farmer, who has paid 4*s.* or 5*s.* some months previous to coming to market on each quarter of wheat he offers for sale. The larger quantity may regulate the market price; but if so, the foreigner pockets the difference. My noble and learned Friend knows nothing of Russia, or else he would not talk of the necessity of hewing down forests, clearing the land, charring the roots before they are able to grow more corn. In a large portion of the Russian provinces, vast tracts of rich soil wait but the plough; cultivation there requires neither the care nor the expense of our systems of farming: instead of a careful rotation of crops, the husbandmen exhausts one piece of land, and then tills the rich and virgin soils adjoining it. I know not if my noble and learned Friend is a German scholar; but if he is I will quote— [Lord BROUGHAM: No.] Well, then, I will refer him to the recent admirable work of Sir R. Murcheson, in which is mentioned the extent of rich black soil which needs no manure, but merely requires the seed to be broadcast on it to produce abundant harvest. If my noble and learned Friend is desirous of knowing the real condition of Russia, as regards the capacity of her soil, I request him to study the works of the geologist, rather than the political economist, and he will there discover the true productive capabilities of that extensive country. Now with regard to what has been said about Ibrailow, and the cheapness of corn in that port, I am not desirous of obtruding my own information on the House, nor am I inclined to rely on a few isolated instances of cheap cargoes having been shipped in the Black Sea as any proof of future prices in that portion of Europe; but I will state a fact, and give you my authority for it. A vessel lately arrived at Goole, in Yorkshire, with a cargo of wheat, which was free on board at Ibrailow at 12*s.* 6*d.* per quarter. I will give the particulars from a letter written by Mr. Hudson:—

"Aire and Calder Navigation Office, Goole.

"The cargo of wheat, 977⅝ quarters, in the ship Alexander Liddle, from Ibrail, was imported and warehoused here by Messrs. Edward Hudson and Co. of Leeds. Since then it has been sold and transferred to different parties. At the present time there are 822½ quarters of it in the warehouse belonging to Mr. Robert Mackie, of Wakefield."

I state this, merely because an attempt has been made to throw discredit on a similar statement made by the noble Lord who spoke on the first night of the debate on the faith of a letter from Liverpool. Your Lordships now know the names of all the parties concerned in the transaction, and from any of them you may obtain the fullest information on the subject. However, my Lords, I cannot for a moment doubt but that the price will rise at Ibrailow and elsewhere, should any increased demand for grain take place in this country. The demand must seriously affect the prices; but of this also I am convinced, namely, that prices, though on an average higher than at present, will be subject to terrible fluctuations. Prices fluctuate abroad more than they do now in England; and we shall be influenced by that fluctuation where we are dependent for any quantity of corn on the markets of Europe. A forcible illustration of this took place last winter in Germany. Prices rose with rapidity, and the people were threatened with an alarming dearness. In Munich and some other Bavarian towns the price of bread rose six kreutzers, the measure between the Monday and Wednesday markets. Years of scarcity are not unknown on the Continent; and without some legal provisions with regard to the sale of corn, great suffering would periodically ensue. This leads me to a point of some importance, and to which I ask attention. In parts of Europe, in order to provide against the calamity of an insufficient harvest, a system of garnering a certain quantity of corn by the State is adopted. This is done in Austria, in Bavaria, in Turkey, in Paris, in— [Lord ASHBURTON: Everywhere.] The noble Lord says everywhere. Now, hitherto the bonding system has answered the purpose of the garnering system adopted on the Continent. By it you have had stored up a certain quantity of corn which was cer-

tain to be poured into the market, if the market was ill supplied. It was allowed to accumulate when not wanted for consumption; and there was a profit on introducing it whenever prices indicated a scarcity. This system of bonding corn, while it afforded all the security against want which the system of Government hoards give, had the advantage of being more economical and less troublesome to the Government than the continental principle. You have not here a scene, sometimes witnessed in Constantinople, when the people clamour at the arsenal for the provisions in store, and the authorities render themselves unpopular if they use proper economy in the distribution. The self-acting principle of the sliding-scale releases the corn without the interference of the authorities. But now consider what will be the case if much arable land is laid down in pasture; and, instead of 15,000,000 qrs. home produced, and 1,000,000 imported wheat, we have but 12,000,000 or 13,000,000 home-grown, and rely for the additional 4,000,000 or 5,000,000 on the foreigner, with no grain in bond, and no Government stores to resort to; if in this case a general scarcity prevails in Europe, as it did last winter, when in parts of Germany they were obliged to have recourse to the garnered corn to which I have alluded, what would be the position of this country? When we talk of this country being dependent upon foreign supplies, it is not that we expect foreign States to prevent importations when they have it to export, but that we fear a scarcity abroad will cause an actual deficiency here. My noble Friend (Earl Grey) says, keep more stock, look to stock instead of corn—the great improvement in farming is to keep more stock; but my noble Friend forgets that the straw is as necessary as the stock to carry out his improved system of farming. On an arable farm, stock is of the greatest use, inasmuch as the straw is turned to the best account, and the land receives a greater return in manure. But what I fear is, the turning arable farms into pasture farms; and though the landowner may make as much by his stock as he did by his corn, you will require every year a certain quantity of foreign wheat to make up your necessary supply. Then, too, will happen the very result for which the free trader seems to pray, the grievous object for which he strives; namely, a supply from abroad limited to the wants of the moment, no corn in bond, no stores held back, all that arrives brought straight to market, no corn purchased abroad till the demand here is apparent; and while this country is thus living from hand to mouth, a check may be given to the exporting trade of other countries, some temporary cause—some delay which would not be foreseen; and then I ask, on what are we to fall back? Under the present law there is always a sufficient quantity in bond to supply the deficiency, in case of any accidental interruption to our trade. [The Marquess of NORMANBY: Remember your promise to be brief.] The noble Marquess reminds me of the promise I gave at the commencement of my remarks, and I assure him I will endeavour to keep it by being as brief as I can. I wish, however, for a moment, to allude to what has been said about labour. Where there is a thin population, then there is a disproportioned demand for labour, and wages rise accordingly. Where, as in this country, the population is dense and the supply of hands great, the demand is not out of proportion to supply, and wages are affected by other causes. No argument, therefore, on the price of labour, can be drawn from the labour market in America which is applicable to the circumstances of this country. If labour is high in portions of newly settled countries, it is on account of the thinness of the population, not the cheapness of food. The price of food only affects wages where the supply of labour is abundant. One word on freights, and I will conclude the few observations to which I promised to confine myself. The freights from some of the northern ports, from Selby and Goole, for instance, to London, are higher than from Hamburg to London, or from Hamburg to Hull. Nay, freights are actually as high from the interior of Yorkshire to Grimsby, as from Hamburg to Grimsby. In consequence of your navigation laws and harbour dues, the foreigner has an advantage in transmitting his corn over the native inland grower. I believe this subject has began to attract attention, and the farmers of the north will soon ask why they are not to be allowed to avail themselves of the cheap Danish and Norwegian crafts to convey their produce coastwise, without being subject to the heavy taxes imposed by the present system of harbour dues and navigation laws. On this subject of freights, great errors seem to have crept into public statements of the cost of transmitting corn from foreign parts as compared with our inland towns; but I will refrain from going into detail, as I have

already occupied your time for nearly an hour. I must really be allowed to repeat that it is with difficulty I restrain myself from entering into the many other topics connected with this subject, and which have been only partially alluded to in the debate. I will, however, do violence to my own feelings, and reserve for some other stage of the Bill my remarks, knowing that from the noble Earl who is to follow me, and who is, I expect, destined to close the debate, you expect a long, and what is beyond doubt, an able speech, for unless something more to the purpose falls from the noble Earl than we have yet heard from any of his Colleagues in office, the Government will have introduced a Bill, without saying a word in its support. I say a long and able speech, because the Government is bound at least to show the grounds of their new policy, and the reasons for which they recommend their present Bill. We have a right to know what are their expectations as to future imports; whether they look for a great increase in our trade with corn-growing countries, or if they hope to produce a diminution of price in the food of the people; above all, it behoves the noble Earl to show the probable effect on the national income. If this measure, by reducing the price of produce diminishes 20 or 30 per cent the income from land, you will diminish to that amount the capital on which the whole of our taxation is based; you will destroy, to a certain extent, its power to meet the heavy demands upon it in money payments for local and general purposes, and thus reduce the material wealth and resources of the country. The rental of land in England is less than is generally supposed; the average rent of all England is only 17*s.* an acre; the average rent of the North Riding of Yorkshire is 13*s.*, of Merioneth, only 1*s.* 6*d.* This must be borne in mind, when an effort is made to throw the loss in price on the rent; for if I mistake not, the margin is too narrow in the rent-roll of some portions of the poorer lands to bear any additional reduction. Why, even in Lancashire the rent of the farm-lands was not high; in Longworth, the parish adjoining Mr. Ashworth's factory, the rent was only 8*s.* per acre; and when the noble Marquess speaks of the increase in the value of land in Lancashire, he forgets that it is the mineral wealth and increased number of hamlets that have caused the advance in rent, and not any great sums given for the purely farm lands. Besides, the comparison between Lancashire now, and Lancashire some two hundred years ago, could scarcely bear on the present question; for it is well known that parts of Lancashire were at some such distant period considered as much out of the way, and barbarous as any portion of the kingdom. The common progress of ciuilization would account for the change in circumstances and rents between the two periods alluded to by the noble Marquess. The noble Lord concluded by repeating his deep regret, that he was precluded by the lateness of the hour, and his anxiety to allow the debate to close, from alluding to many other topics of interest; but after the attentive hearing the House had given him, he felt he should be abusing their patience, if at that time in the morning he prolonged his observations.

Lord BROUGHAM rose to apologize for one moment, while he ventured upon a trifling explanation of the personal matter which had obtruded itself upon the House. He must be permitted to observe, that it was for the convenience of the House and the speaker himself when any noble Lords had misapprehended, and was therefore misstating, the argument of another Peer, that this latter should at once get up and say that he did not state that which was misrepresented concerning him; whereupon it was the form and order of the House that the noble Lord so interposing should be believed, and the argument founded upon that misstatement should immediately cease. But what he desired to say more particularly was this—that his noble Friend (Lord Beaumont) had entirely misunderstood the observations he (Lord Brougham) had made, with regard to Russia, and the Russian trade; and not only had he misunderstood and mistaken them, but he had given the direct contrary argument, for so far from having said that we exported 3,000,000*l.* or 4,000,000*l.* in bullion to Russia, to adjust the balance of our exports and imports, that his statement was, that that was the argument of the noble Lord opposite; but that the fact was, that the export was made in the coffee of Brazil, and the sugars of Cuba. He (Lord Brougham) had been charged with being asleep during the noble Lord's observations. He could only reply, he wished he had been. But far from having been asleep, he had been wide awake, and he had been fully aware of a memorable promise made by the noble Lord, that of making a short speech, his breach of which he deeply re-

gretted. Neither had he (Lord Brougham) used the argument as related to Napoleon as he had been said to use it. What he said was this—not that he had compared the potency of Napoleon to the potency of the sliding-scale; but what he did say was, that we were so far from having to fear being dependent on foreign supply, that even Napoleon totally failed in the attempt to stop it.

The Earl of DALHOUSIE said, that he was sure their Lordships would do him the justice to believe that he was entirely sincere when he said, that in rising to submit to their Lordships the reasons which induced him to give his vote in favour of the second reading of this Bill, and to bear his share of the responsibility of proposing it; he did so under a deep and unfeigned distrust of his own capacity to discharge the task which had devolved upon him. He should labour under a feeling of still stronger discouragement, were it not that he ventured even now to hope that he should receive at their Lordships' hands a continuance of that kindness and indulgence which for some years their Lordships had invariably shown him. He would not have contested with the noble Baron the right to occupy the attention of the House, were it not that there was an understanding (the noble Duke would bear him out) that he should follow the noble Lord who had previously sat down.

The Duke of RICHMOND: After the noble Marquess spoke, it was right that a protectionist should answer him; their Lordships had already heard, that though the noble Earl had once been a protectionist, he was not so now.

The Earl of DALHOUSIE: He hoped the House would not permit itself to lose its good humour; he could assure their Lordships that nothing whatever should fall from him calculated in the slightest degree to increase the feelings of impatience, and he hoped the House would not be offended if he said of discontent, which it was too apparent prevailed among their Lordships. In the course of the debate here and elsewhere it appeared to have divided itself into two parts; one of these had reference to the merits of the measure itself, and the other to the conduct of those by whom it had been brought forward. There had been said many things which it was, no doubt, hard to listen to, and galling to bear. He was not about, however, either on the part of himself or of his noble Friends by his side, to offer any complaint upon that subject. Her Majesty's Ministers could not help being conscious, that however strong might be their own convictions of the expediency and the necessity of the course they had pursued, the introduction of the measure by them could not but have created feelings of mortification in the minds of those with whom they had hitherto acted; and he at once admitted that they had no right to be too quickly sensitive to the natural expression of that feeling. He assured their Lordships again that, if he could help it, not a word should fall from his lips calculated to increase any animosity which might at present exist. His noble Friends who had lately spoken, he was sure, would not be inclined to think that he disparaged their statement, when he said that a large proportion of that which had been stated by them had been stated previously in the brilliant and comprehensive address delivered by the noble Lord the late Secretary for the Colonies. He was sure that they would not think it flowed from any disrespect to them, if he directed himself chiefly to his speech, which was so comprehensive, as a whole, and which, in his opinion, placed the matter on those grounds on which alone he thought it expedient this question should be considered. The noble Lord gave his opinion, not only on this Bill, but submitted to the House his views on the whole commercial policy of the country. He stated that he objected to this Bill because he wished to sustain protection to native industry. Now, the Bill which was submitted to their Lordships, and in which was proposed a change of the law, was based on precisely the opposite principles; and it was in defence of that proposed change that he now addressed their Lordships—for he felt bound to maintain the opinion he held, that the principle of protection was altogether unsound. He believed that the principle of protective duties was oppressive and unjust to the consumer, because, if it had any effect at all, it raised unfairly the price of the article he consumed; he also believed that, in the long run, it was not really beneficial to the producer. He founded that opinion, not merely on the teaching of political economy; for it had not been impressed on his mind with some fearful and irresistible weight only by that which his noble Friend (Lord Asburton) had referred to that evening, as that "awful thing," political economy; but he had derived this opinion from an examination of the history of the com-

merce of this country. His noble Friend had asked, where were the authorities for these opinions? The authority he should that night quote was the greatest of all authorities—he meant the authority of facts. He maintained that the history of our commercial legislation—more especially of the last thirty years, and above and beyond all, the history and course of our commercial legislation, which the noble Lord the late Secretary for the Colonies the other evening referred to so much in illustration of the Tariff of 1842—afforded demonstration of the truth of the doctrine he had just laid down. He must here beg permission to address to the House a few words personally relating to himself. In expressing the opinions he did now with respect to the principle of protection, he said nothing at variance with the sentiments he had ever expressed in that House. During the three years in which he had conducted a portion of the public business of the country, nothing in this House had been said by him adverse to the opinion he expressed now. It had been his lot to express this opinion amid the deadest and dullest silence of noble Lords on this side of the House, while it received the cheers of the noble Marquess and the noble Lords on the other side of the House; when noble Lords beside him were shaking their heads at the doctrine which he put forth, noble Lords opposite were nodding acquiescence. He recollected that upon one occasion, when he was called upon to oppose a Motion made by a noble Lord on the sub ject in that House, the noble Duke on the cross benches declared that if he supported the Vice President of the Board of Trade, it was not because he loved the sentiments of that Vice President more, but that he detested them; but that he did detest, abhor, and utterly abjure them some few fractions less than those of the noble Lord opposite. During the eleven years he had been in public life, he had not in any one case expressed an opinion adverse to that which he now held on this question. He had the honour of a seat in the other House of Parliament for an agricultural constituency, the county of East Lothian, and never to them, on the hustings or elsewhere, had he uttered a word adverse to his present principles. He never gave a vote on the Corn Laws but one, and that was for a diminution of duty and a relaxation of protection; and the very first Motion he had had the honour of proposing in their Lordships' House, was the Canada Corn Bill. He asked pardon for thus occupying their attention with matters personal to himself; but as that debate had turned so much on inconsistency, he thought it due to himself to say thus much. It would be unpardonable in him at that late hour of the night, and in the temper of the House, and after the fatigue it had endured, to proceed as fully as he should otherwise have felt it his duty to do in illustrating the views he held upon this question; but he did feel strongly the extreme importance of not permitting the speech of the noble Lord (Lord Stanley) on the commercial policy pursued by Her Majesty's Government, to go unanswered. He would not go into all the details, but would touch merely on two or three of the points urged by the noble Lord. But he had stated to their Lordships that he rested wholly on facts for the principles he entertained. He was prepared to go into the question, and to deny that the commercial prosperity of this country had risen from the operation of protection. In this he agreed with Lord Liverpool, who was not usually quoted by noble Lords on such a question as this, but who had said, at an interview respecting the trade in wool, he thought it more than doubtful whether the prosperity of the trade had not existed in despite of, and not in consequence of, protection. He was prepared to combat the statements of the noble Lord, and to assert that with respect to the woollen, cotton, linen, silk, iron, and indeed every branch of trade in the country, not only did they not flourish by reason of the principle of protection, but that they flourished as that protection was removed; nay, more, that they seeemed to flourish all the better in proportion as that protection was removed. His noble Friend had adverted to various points in the Tariff of 1842, and he made certain statements as to the price of wool and timber, and ships in the Baltic trade, and guano ships, the whole tendency of which was to impugn the good effects of that Tariff, and to show that protection to native industry ought to be continued. He must deny the soundness of these statements. Two years ago, a noble Lord out of the House remarked on the great increase in the importation of butter, and stated that that increase was owing to the duty having been lowered; but there were two reasons why that effect could not be traced to the reduction of duties. The first was, that the duty had not been lowered; the second was, that the importation

had not increased. The statements now made were almost as unsound. He must regret the absence of his noble Friend on the present occasion, but he would endeavour to say nothing respecting the statement of his noble Friend which ought not to be said in his absence. One of his noble Friend's statements was, that his right hon. Friend (Sir R. Peel) had made it his boast that the Tariff of 1842 had had the effect of increasing the prices of articles affected by it, and that he argued that increased competition tended to raise the prices of articles. Now, his right hon. Friend had made no such statement. His right hon. Friend said, that notwithstanding the alarm that was expressed that the Tariff would have the effect of greatly lowering prices, those prices had not been lowered; and he distinctly stated that he did not mean to assert that that result was owing to the operation of the Tariff, but that he mentioned it only to show that the apprehensions that were felt at that time had not been realized. His noble Friend had also gone into a statement to show the effect of these changes upon the prices of wool, and he had taken the period from 1819 to 1824, when a protecting duty was levied, and the price was 1*s.* 4*d.* per pound, and had compared it with the period subsequent to 1824, when the price was 10*d.* But the statement of his noble Friend gave neither a complete nor correct view of the question. This he now proposed to do. He now held in his hand a paper which had been laid on the Table of the House, containing the prices and quantities of wool from 1818 to 1845; and the return was made so extensive in order to comprise the three different rates of duty which had existed. In 1818, the duty was $\frac{5}{4}$*d.* a pound; in 1819, it was raised to 6*d.* a pound, which it continued till 1824, when the duty was lowered to 1*d.*, and that duty remained until 1844, when it was finally abolished. Now, when the duty of 6*d.* a pound was proposed, those who urged that a protective duty was necessary were distinctly told by those who opposed the duty, that it would have the effect of lowering, not raising, the price; for that foreign wool was essentially necessary for combination with our own wools in the manufacture of cloth, and that the demand for home wool would diminish if foreign wool were rendered so much dearer by the increased duty; for the foreign wool would be excluded, and the price of home would accordingly fall. That prophecy had been fully realized. The price in 1818, when that protective duty was imposed, was 2*s.* 6*d.*; the average importation of foreign wool being about 24,000,000 lbs. During the continuance of the high duty, the importation fell from 24,000,000 lbs. to about 17,000,000 lbs., and the price of home grown wool fell to 1*s.* 4*d.* The consequence was that our woollens were entirely excluded from the markets of the Continent; and, in fact, from that hour to the present the woollen trade had never wholly recovered from the blow then inflicted upon it. His noble Friend would have found, if he had looked a little more closely into the subject, and had adverted to the price previous to the high duty in 1819, that the price had begun to revive, not to fall, upon taking off the high duty of 6*d.* a pound., and had continued to increase up to 1834, when it was 1*s.* 3*d.*; that was to say, the price was as high with an importation of 42,684,247 lbs., as when the importation was only 17,000,000 lbs. The price was now 1*s.* 4*d.* Thus it appears that, under the low duty of $\frac{5}{4}$*d.* per lb., the price was 2*s.* 6*d.*; under the high duty of 6*d.*, the price fell to 1*s.* 4*d.*, and the importation to 17,000,000 lbs.; on the reimposition of the low duty, the importation increased; and now, when it has reached 42,000,000 lbs. per annum, the price is as high as when it was only 17,000,000 lbs. Whether, therefore, his noble Friend had in the case of wool made out his position that on lowering the duty on importation the price fell, he would leave to their Lordships to consider, the price having been 2*s.* 6*d.* under a low duty in 1818, and having fallen to 1*s.* 4*d.* under the operation of a high duty. Then his noble Friend had said, "Look to the case of timber, you lowered the duty on foreign timber in 1842;" and then the noble Lord put it to his noble Friend at the head of the Woods and Forests to say whether the prices of Crown timber sold in England had not to a considerable extent fallen. Now, he (the Earl of Dalhousie) held in his hand a return, not of a single sale of timber, but of the annual contracts for the whole of the British navy. The price of oak timber from Tuscany in 1841, previous to the lowering of the duty, was 12*l.* 4*s.* 6*d.*; in 1846 it was 10*l.* 14*s.* 8*d.* Dantzic oak in 1841 was at 14*l.*; in 1846 it had fallen to 12*l.* But the price of English oak in 1841 was 12*l.* 14*s.* 6*d.*; in 1842, 12*l.* 14*s.* 4*d.*; in 1843, 11*l.* 1*s.* 4*d.*; in 1846 it was again 12*l.* 14*s.* 6*d.*, showing that under the re-

duction of duty the price of British oak is as good now as it was before that reduction was made. Those were the contract prices.

The DUKE of RICHMOND: My noble Friend was speaking of sales of British timber.

The EARL of DALHOUSIE resumed by saying that he was speaking of the Admiralty contract price of British timber. Now, the conditions and circumstances of the contracts were precisely the same in the four years to which he had referred; and however the contract had operated on the price in 1841, it had had precisely the same effect in 1846. His noble Friend (Lord Stanley) next said, "See what you have done with the shipping interest; the number of British ships employed in the Baltic timber trade in 1839 was 612, whilst in 1845 it had fallen to 609; the number of foreign ships was 566 in 1839, and in 1845 it was 1,845." He (Lord Dalhousie) did not deny that there were more foreign than English ships employed in the timber trade; but their Lordships should bear in mind that the timber trade was peculiar, and that those foreign ships were of small capacity, and unfit for any other purpose; they were in may cases kept afloat by the cargo they carried. However, the whole amount of our shipping trade generally with the Baltic had not diminished. In 1842, as was stated by the Chancellor of the Exchequer, which was the first year of the Tariff, the British ships employed in the Baltic trade amounted to 3,519, with a tonnage of 613,000; and in 1844 the number of British ships was 4,424 (being an increase of about 1,000), with a tonnage of 818,000, being an increase of 200,000 tonnage. So much as respected the trade with the Baltic. But perhaps their Lordships would permit him to read an extract which must have greater authority than anything he could say, inasmuch as it consisted of observations stated at a business meeting, and related to affairs in which the interests of the parties present were concerned. At a late meeting of the Dock Company at Liverpool, the Chairman said that some surprise had been expressed at the increase of 100,000 tonnage talked of some time since; but he now had to deal with an increase, not of 100,000, but of hundreds of thousands; the increase in six months, from June to the 31st of December of last year, having exceeded that of any previous period, inasmuch as it showed an increase of 600 vessels and 209,409 tonnage over the corresponding six months of the preceding year. Now, what were the expectations of these parties under a relaxation of the protective laws? Did they expect it would be injurious to the shipping interest? No! The Chairman proceeded to say, that in proportion as they afforded accommodation, in the same proportion they would draw trade to the port of Liverpool; and supposing that at no distant period the rates of duty on other foreign productions, which were now virtually excluded, should be modified, it would not be in the power of any man to divine, whenever those duties should be reduced, what accommodation would be required at the port of Liverpool, which stood in the pre-eminent situation of having 203 acres of dock with fifteen miles of quayway. After this evidence from practical men, would their Lordships say that the Tariff of 1842 had been injurious to the shipping interest? Next, with respect to the number of ships that had been built, his noble Friend, when alluding to this subject, took the Returns that were on the Table of the House, and said, "Look here at the comparison from the years 1833, and the two years since the Tariff; up to 1842 there has been a biennial increase of tonnage amounting to 197,000, whilst in the two years after the tariff the increase has only been 17,000 tonnage." That was true; but the explanation of the circumstance was this:—In the four years from 1839 onward, there was immense speculation in shipbuilding. So marked and so inordinate was that increase, that an application was made for the levying of duties upon colonial shipping, and a Committee was actually appointed in the other House to inquire into the state of the shipping interest, where the speculation to which I have adverted was stated in evidence as one of the main causes of the depression. In 1843, there was a reaction. That was the reason why the tonnage appeared to be small in the two years referred to; but if, however, their Lordships compared 1843 with 1845, instead of comparing 1842 with 1844, they would accordingly find that, instead of there being an increase of 17,000 tonnage only, the increase was 126,684 tonnage. In 1845 it reached 198,156 tons. The noble Lord then referred to the amount of shipping in the guano trade, and he said, "You have but 17,000 tons added to your

shipping, and you have employed in the guano trade 219,000 tons." Now there was no comparison between the two items —the one was the amount of ships built, the other the amount of those employed in the guano trade. Their Lordships could not draw any inference as to the amount of trade from the number of ships actually building. For concluding accurately as to the activity of trade, their Lordships must look to the number of ships really employed, which was the only safe test in the matter. In 1839 the tonnage was 2,756,533. Under the Tariff it had increased in 1845 to 3,669,000. These figures speak for themselves. He now came to the other branch of the subject. His noble Friend, after stating his propositions with respect to protection of native industry, proceeded to apply those observations to the laws upon corn. He stated, in the first place, that there were high authorities to be adduced in favour of the maintenance of a law for the protection of corn; and he instanced Lord Chatham, Mr. Pitt, and Mr. Huskisson. He (Lord Dalhousie) estimated quite as highly as any noble Lord in that House, and had as deep and sincere a veneration as any for the wisdom of our ancestors; but he could not attribute to those ancestors, even to Lord Chatham, who was among the greatest of them all, the faculty of omniscience; and he said that nothing less than omniscience could have enabled him to pronounce as to those fiscal and commercial regulations which would be best adapted to the condition of society in this country at the present day. As to general principles of policy, or the eternal and immutable laws of justice—as to the principle, for instance, by which the liberty of the subject should be secured, the authority of Lord Chatham was entitled to the greatest weight; but as to the question of the policy of a corn law, or any other restrictive law, it was impossible for Lord Chatham to foresee what would be required by the state of society as it now exists. Then with respect to Mr. Pitt, it was impossible for any one who adverted to the proceedings of Mr. Pitt in 1787, or who read his speeches, to doubt that if he had lived now he would have been the foremost to advocate the policy which had now been submitted to their Lordships, and to bring the whole weight of his vast influence and his gigantic talents towards carrying this policy into effect. Another authority had been referred to, that of Mr. Huskisson. Mr. Huskisson lived at a later period, and did not therefore lie under the disability to which he had referred. But he (the Earl of Dalhousie) willingly appealed to him—he called from the grave, his voice—the voice of the mighty dead—in order to show that the course now pursued by the Government in the circumstances of the present time, and in the present condition of the country, was exactly such as he, if he had lived, would himself have pursued. In 1814, Mr. Huskisson said, that while commerce and manufactures were encouraged and forced by protections and by restrictions upon the introduction of foreign commodities, he saw no reason why the laws relating to corn should be excepted; but he also said that if other commodities were subjected to the application of the principles of free trade, there could be no objection to leaving agricultural produce to find its own level. He begged to adduce to their Lordships as another authority on this subject, a noble Lord whose name he was sure would be received with the greatest respect, as that of a man of the deepest sagacity, of enlarged experience, and great and varied powers of mind—he meant the late Lord Lauderdale. That noble Lord was as strong an advocate of the Corn Laws as anybody; but a reference to his works will show that he advocated them solely because he thought, that while protection was extended to other interests, it ought not to be withdrawn from agriculture; and he distinctly indicated his opinion, that as soon as protection was removed from other articles, it should be removed from agriculture also. A noble Lord (Lord Ashburton) who sat beside him, repeating a statement which was made on a preceding night, said that they were going to do that which no country on earth ever thought of attempting to do—namely, establish a free-trade in corn; and he asked them to solve the question what they were to do in cheap years, when the ports of this country were the only ports open to the importation of foreign corn? His noble Friend (Lord Stanley) had cited all the countries of Europe, from Turkey round to Russia, stating that each and all of them had a corn law, and that statement had been repeated to-night. Now, it was quite true that each and all of them had a corn law; but what sort of corn laws were they? Were they anything like the Corn Law in this country? No, they were nothing like it.

There was hardly one of them imposed for the sake of protection, and hardly one of them excluded corn the produce of other countries in the years to which his noble Friend had referred. He (the Earl of Dalhousie) held in his hand a statement of the various corn laws in Europe, which he would read to their Lordships. In Turkey there was a duty upon corn as upon every other article of 5 per cent *ad valorem;* but in the Danubian provinces of Turkey (which he begged their Lordships to bear in mind were the corn-growing provinces) and where, if anywhere, a protection duty would be found, the duty was 3 per cent *ad valorem,* and there was no point which the population of those provinces held with greater tenacity than their right to have the duty at 3 instead of 5 per cent. How his noble Friend could draw any argument in favour of protection from this source, he declared he could not see. The Papal States of Italy admitted corn free when the price was 48*s.* per quarter. In the Two Sicilies the duty was about 8*s.* per quarter. In Sardinia there was a duty of 5*s.* per quarter. In Tuscany the duty was a mere fraction. In Greece it was 2*d.* a quarter; and in Austria 3*s.* per quarter; and he begged their Lordships to observe that Austria, possessing the rich corn-growing provinces of Hungary, Transylvania, and Galicia, nevertheless in the ports of Venice, Fiume, and Trieste, granted admission for the importation of foreign corn free of all duty.

Lord ASHBURTON remarked that Trieste was a free port.

The Earl of DALHOUSIE replied that he was quite aware of that; but the corn was admitted not into the ports only, but into the interior without the payment of any duty. In Spain and Portugal there was a total prohibition; and here he wished simply to mention one fact as showing what was the advantage or disadvantage of this description of protective duty on corn. The fact rested on the authority of official papers before their Lordships, and it was this—that from Portugal and Spain corn used to be purchased in the port of New York at 4*s.* 6*d.* per bushel, and brought for the supply of Andalusia; while wheat was to be had on the plains of Castile at 1*s.* 6*d.* per bushel, but which was entirely useless, because from the high cost of carriage it was impossible to bring it to a part where it could meet a profitable sale. It was undoubtedly true that Belgium had a corn law, and moreover a sliding-scale; but free importation was allowed when wheat was 33*s.* a quarter. A nearly similar regulation was adopted in Holland. In Mecklenburgh a duty of 3 per cent was levied; in Hanover 6*s.* a quarter; and in Denmark 3*s.* a quarter. In France there was a high protective duty. In Russia, a duty of 14*s.* a quarter was imposed on the importation of wheat. These were true; but were these countries in the habit of regulating their duties upon the system advocated in that House? No; and it was unnecessary to go further back than the present year to show how different was their policy. One of the earliest steps taken by the Government of Holland this year was altogether to suspend the Corn Laws. In Russia also—hermetically-sealed Russia—the duties on the importation of corn were altogether removed; and in Belgium the Chambers were convoked in order to remit for a year the duties on corn. What analogy was there, then, in the course pursued by these countries in favour of a permanent protecting duty upon corn, or between their corn laws and those which it was desired by many of their Lordships to maintain? And what was the cause of their suspension of the importation duties? Did it arise from any great failure of the corn crops? No; but from the very same cause which had been treated with such distrust and discredit in that House—the failure of the potato crop. And yet some noble Lords believed it would have been possible for Her Majesty's Ministers, while foreign countries were so acting, to have come down to Parliament and have asked the corn consumers of Great Britain to grant vast sums of money to relieve the distress of the Irish people, while at the same time they maintained a duty of 18*s.* a quarter upon wheat. There was no alternative between that course and the suspension of the Corn Law for a time; and he would ask whether, if such a suspension had been adopted in this kingdom, it would not have been utterly impossible ever to attempt to restore the Corn Laws to their former position? It had been stated very powerfully by the noble Lord, and it had been frequently repeated by other noble Lords in the course of the debate, that the main object of a Corn Law was to prevent a country from being dependent upon foreign countries for their supplies of corn; and the permanence of the law of 1842 had been advocated on the ground that,

under the operation of that law, this object had been attained. It was said that the quantity of corn produced in this country was keeping pace with the demands of the population; and a noble Friend of his stated that the importations of corn for the last twenty years had averaged 1,070,000 quarters per annum; while during the last year it had only been 308,000 quarters. From this circumstance the inference was drawn that of late years our dependence upon foreign supplies had been diminished, and that production had kept pace with the increase of the population. But they could not draw a correct inference from a single average extending over so long a period as twenty-one years. The only way of arriving at a satisfactory result was to take averages, as far as they could, for equal periods. He held in his hand a return of the importations of corn into this country from 1791 to 1840, from which it appeared that in the first ten years, from 1791 to 1800, the annual average importations were 470,000 quarters; from 1801 to 1810, 555,000 quarters; from 1811 to 1820, 429,000 quarters; from 1821 to 1830, 534,000 quarters; and from 1831 to 1840, 908,000 quarters. Now, in the five years from 1841 to 1845, partly under the operation of the new Corn Law, the average importation had been 1,807,000 quarters annually, of which 1,583,000 quarters had been admitted for consumption. In the four years, from 1842 to 1845, under the new Corn Law, the average quantity annually entered for consumption has been 1,064,500 quarters. Thus it appears, that from 1791 to 1841 the largest annual importation was 908,000 quarters, while in the last four years the annual average entry for consumption has been not less than 1,064,000 quarters. It was therefore evident, upon the face of these returns, that the importation of foreign corn was increasing, that our production has not kept pace with our demand, and that the existing law did not render us independent of supplies from other countries. Now he would ask their Lordships to consider for a single moment this question of dependence upon foreign countries. How many trades and employments of life were there with respect to which they were almost hopelessly and entirely dependent for supplies upon foreign countries? Let them take the case of the woollen trade. There was not one of their Lordships who was not dependent upon foreign supplies for the coat he wore. Nay, there was not one of their Lordships' footmen who, if they were to propose to them to become independent of foreign supplies of wool, and to wear clothes made of home wool, would not give warning to-morrow. But were they less dependent upon foreign supplies with regard to the cotton manufacture? His noble Friend had stated that the annual imports of cotton wool into this country amounted to many millions of pounds. Did not this fact show how entirely, and hopelessly, they were dependent upon foreigners for their supply? So it was with respect to silk. So it was in a great degree with respect to flax. They could not even carry on a war or fire a shot without being dependent upon foreign supply for the articles used in war. This country was dependent upon her exports and imports in a great degree for her revenue, and she was therefore dependent upon foreign nations for the maintenance of her credit. And has it been the case that in war foreign nations have stopped our supplies? From 1812 to 1814 they were at war with the United States, from which this country drew her supplies of cotton. Would it not have been death and destruction to them if the United States had stopped the supply of cotton to this country? But that had not been the case; on the contrary in 1812 we imported 61,000,000 lbs.; in 1813, 50,000,000 lbs.; and in 1814, 53,000,000 lbs. The China war was another example, and our supplies of tea during the period of the war were as great as in any year preceding. The same principle would govern other nations with respect to corn. If we were dependent upon them for our supplies, we could get what we wanted, notwithstanding they were at war with us, as had been the case during the war with Napoleon. But then his noble Friend said, "Look at the price!" Why, at other times the price was as high as in any of the years his noble Friend had quoted. The price, too, had no effect upon the argument, which was, that if we were at war with other countries we could not obtain supplies of corn at all. During the course of the war in which we were engaged with the whole of Europe, large imports of corn came in every year. Even in 1810, we had importations, and importations too from France itself; and he maintained that, if this country again required foreign supplies, those supplies would be got. The Government had been reproached for not stating what, in their opinion, the price

of corn would be under the new system. He was not prepared to answer any demand so unreasonable, or to pronounce what the actual and specific price of corn would be. He would also respectfully ask their Lordships whether they were quite entitled to demand that information from him? Would they have been prepared in any given year, under the present system, to say what the price would be in the year following? It had been stated that, during the last twenty-one years the average price of wheat was 57*s*. But what consolation was it to the farmer to be told what was the average price during a series of years, if it had been racing up and down the scale during that period? In one year the price had been 66*s*.; three years after 46*s*., in the next it was 39*s*., and in three years again 70*s*. How could their Lordships, when there had been such fluctuations under a system the boast of which was that it prevented fluctuation, ask him to name a specific price?

The DUKE of RICHMOND: Go to the last Bill.

The EARL of DALHOUSIE said, that if he did not mistake, the noble Duke had predicted precisely the same effects from the Bill of 1842, as he now prophesied from the operation of the present Bill.

The DUKE of RICHMOND said, he never did anything of the sort. He did not vote for that Bill; but he probably should have done so if he had happened to have been in the House.

The EARL of DALHOUSIE thought the noble Duke had voted against that Bill; but it was immaterial for the purposes of his argument. He would go to the last Bill. The present law had proved to demonstration that the whole system of averages was a fiction. The noble Lord (Lord Stanley) had boasted of the great fixedness and steadiness of price that had followed the law of 1842. The average price of the last year, 50*s*. 10*d*., had also been pointed to as a proof of the abundance of corn in this country. He maintained that that price of 50*s*. was no index whatever to the actual quantity of corn, or to the steadiness of price: it was only a proof of the inferiority of the quality. He held in his hand a return for the last twelve months of the average prices at the different returning market towns, not of the highest and lowest prices in each town, but of the highest average and the lowest average price returned in each week from the returning towns, each town giving, of course one average price. In the first three months of that period the difference was from 15*s*. to 18*s*. In November of the same year, the difference was from 68*s*. to 48*s*.; and in the week ending the 29th, from 69*s*. to 38*s*. In January, 1846, the difference in the first week was between 69*s*. and 44*s*., in the next 67*s*. to 40*s*., and in the next 71*s*. to 42*s*.; and during other periods of the same year, the difference, instead of ranging at near 15*s*., as in former periods, was as much as 25*s*., 26*s*., 28*s*., 30*s*., 31*s*., and so on, while on the 28th of March it was between 69*s*. and 32*s*., or a difference of 37*s*. In the face of these facts to talk of having equalized prices by means of this law was a gross fallacy. He had also the further evidence of the contract price from the Victualling Office for the years 1843, 1844, 1845, and 1846, to show that the official price of 50*s*. 10*d*. was no accurate index of the real supply and price. In January, 1843, the price of red wheat was 2*l*. 9*s*. 3*d*.; in February, 1844, 2*l*. 17*s*. 10*d*.; in 1845, 2*l*. 6*s*. 10*d*.; and in February, 1845, 3*l*. 5*s*., 5*d*.; and in white wheat the price in May 1843 was 2*l*. 15*s*., in May 1843, 2*l*. 8*s*. in May 1846, 3*l*. 11*s*. He therefore altogether repudiated the idea of attempting to fix a price. With respect to the general operation the law was likely to have, he was disposed to agree with the late Earl Spencer in the opinion he had formerly expressed in that House that everything as regarded price would remain not very far from where it was, and that the advantage of the measure would consist not in giving that 'cheap bread' for which there had been a cry, but in the steadiness of trade, and the encouragement which the agriculture of the country would derive from the increased stimulus given by it to our manufactures. One false premise seemed to lie at the foundation of all the arguments on this question—it was that there would be an enormous importation of foreign grain under this measure. Whence was this supply to come? It seemed to be generally assumed that Germany, Denmark, Poland, Russia, some Austrian provinces, and the United States, were the countries from which the grain was to come. But noble Lords who entertained those apprehensions never attempted to state in what quantities this grain would come, and where it was to come from. He maintained that no such quantities as were anticipated could or would come. Mr. Jacobs, in 1828, visited the countries in the north of Eu-

rope, by order of the Government, and reported that they could not send to this country a larger quantity than they then sent. In 1842, another gentleman was sent to the same countries to make the same inquiries; the result was embodied in the consulate returns, and it was there stated that the whole average amount which those countries could send to this country was 2,200,000 quarters of grain. There was nothing whatever to contradict, not the general assertion, but the facts stated by that gentleman, to show that no great quantity could be imported into this country at all. He (the Earl of Dalhousie) perfectly credited the statement of the noble Lord opposite as to the virgin soil and fertile plains to be found in various countries in Europe. He did not dispute that there were millions on millions of acres on which corn might be raised; but what was their value if the corn was not attainable? As well might noble Lords point to the plains of South America, where thousands upon thousands of cattle were roaming about, and argue that under the new law these thousands and thousands would be imported here. There was no doubt of the capacity of those countries which were so dreaded; there was no doubt of the abundance; but distance rendered the capacity and the abundance unavailable. He would not fatigue their Lordships with calculations as to trade and carrying charges. With regard to the produce of Germany, and of Hungary, which found an exit northward, it went by rivers, which in winter were frozen, and in summer were during long periods dried up for navigation. That which found an exit southward was transported in bullock-carts a distance of 250. miles by a very tedious mode of conveyance, raising the charges to a very high amount. So that though in those countries the produce was large it was totally useless. The same was the case with Spain: no country could be more fertile; but though corn could be got at a very moderate rate in Castile, yet before it could be brought to the markets, as mentioned in Mr. Jacobs' report, the price it would have reached rendered it more profitable for the consumer to obtain their supply from America. In the continental countries of which so much was said, cultivation was carried on by serfs; neither they nor their landlords had means for improving agriculture; their implements were of the rudest kind; and he did venture to think, that nothing had been stated by any noble Lord to invalidate the testimony of the official documents long since laid on the Table, to the fact that the quantities of corn introduced from those countries would be extremely limited, and that the price at which they could be brought was above anything that would yield such a return as to encourage importation. Their Lordships had heard it stated the other evening, that 5,000,000 of quarters could, in three years, be brought into this country, purchased at Galatz, where the corn was produced at a price of 14*s.*, and of excellent quality. He would not read letters to their Lordships, but he would lay before them documents infinitely more authoritative, namely, actual bills of sale. He held three of these in his hand in reference to cargoes of grain imported from Galatz. They were purchased in the abundant year, 1844. They were not detained in warehouse, yet on each transaction there was a loss to a very great extent. They were sold on account of Mr. R. Gardner, Manchester. The first was purchased on July 29, 1844, and the price paid was not 14*s.*, but 21*s.* and 23*s.* 9*d.* per quarter. They were sold in bond on October 25, and the balance of loss was 10*s.* 4*d.* per quarter. Another cargo purchased in June, 1844, for 23*s.* 9*d.*, was sold on October 12, and the balance of loss was 14*s.* 11*d.* per quarter. A third cargo purchased about the same time with the others for 23*s.* 9*d.* per quarter, was sold after a similar interval, when the balance of loss was 12*s.* 3*d.* per quarter. There were the invoices sent to him by a gentleman of high respectability; but they bore evidence on their face of the respectability of the parties and the transaction itself, for the agents in the transaction were Messrs. Baring Brothers. But supposing there was a large importation, it was not an entire surplus. The population was increasing, and it was necessary to find increasing supplies. And abroad the same necessity would be felt. [Lord ASHBURTON observed, they did not consume wheat abroad.] If they grew for themselves, they could not grow wheat to send it here. In the course of late years the population of the different countries which were regarded with such apprehensions had greatly increased. Such was the case in Russia, Norway, the German States, and all the others. The population of Prussia had increased from 12,000,000, in 1825, to 15,000,000, in 1843. In Austria

it increased, between 1820 and 1840, from 30,000,000 to 37,000,000. In Russia, from 56,000,000, in 1827, to 59,000,000, in 1837. In France, from 31.000,000, in 1826, to 35,000,000, in 1845. But there was another consideration which had not been fully dwelt upon in this debate with the weight that ought to be attributed to it, and that was, the increase of our own population. There had been a total failure of proof to show that they could adopt fresh land to meet the wants of the increased population, or that they could increase the produce of that land for the same purpose. The Sanitary Report (p. 330) says—

"It may be of interest to observe, that as the whole population grows in age, the annual increase in numbers may be deemed to be equivalent to an annual increase of numbers of the average ages of the community. If they were maintained on the existing average of territory to the population in England, the additional numbers would require an annual extension of one fifty-seventh of the present territory of Great Britain, possessing the average extent of roads, commons, hills, and unproductive land. The extent of new territory required annually would form a county larger than Surrey, or Leicester, or Nottingham, or Hereford, or Cambridge, and nearly as large as Warwick.

"To feed the annually increased population, supposing it to consume the same proportions of meat that is consumed by the population of Manchester and its vicinity (a consumption which appears to me to be below the average of the consumption in the metropolis), the influx of 230,000 of new population will require for their consumption an annual increase of 27,327 head of cattle, 70,319 sheep, 64,715 lambs, and 7,194 calves, to raise which an annual increase of 81,000 acres of good pasture land would be required."

In the last thirty years there had been an increase of 15 per cent in the population in each duennial period. Did their Lordships realize the fact that, since this Bill now under consideration was introduced to Parliament, there were 100,000 and upwards more to feed? Was it in their power to increase the produce of the country in the same proportion? No proof of that had ever been attempted. He did not believe that that immense increase of supply would take place; but if it did, would it be more than sufficient to meet the increase of population that was constantly going on? Before he left this part of the subject, he would direct their Lordships' attention to the question of supply from the United States. He knew that it was usual to treat the United States as an inexhaustible source of food. Such, however, was not the experience of past years, nor was it the opinion in the United States themselves. The wheat producing States were limited to certain districts of country —they were all in the extreme west; and, consequently, whatever was produced there could not reach this country from their own ports except at a large charge. Let them trace what had been the increase of supply and of export in that country for a considerable number of years. He had the official tables of the States before him for the period from 1791 to 1840; and, although it appeared that the increase in produce had been enormous, as was admitted, yet the increase of population had been concurrent; and it appeared that now they had for export a smaller amount than they had fifty years ago. In 1790 the population was 3,900,000, and the wheat exported to foreign countries amounted to 4,750,000 bushels, being 28 per cent of the whole produce. In 1810 the population had risen to 7,000,000, and the amount of wheat exported was 4,000,000 of bushels, being $14\frac{1}{2}$ per cent of the whole produce. In 1820 the population was 9,600,000: the export of wheat, 5,900,000 bushels, being $15\frac{1}{2}$ per cent of the whole produce. In 1840 the population had increased to 17,000,000, and the amount of wheat exported was only 11,000,000 of bushels, or 14 per cent of the whole produce, that is to say, only one-half that it was formerly. That was the amount of wheat exported by the United States; and yet they were not without markets to encourage export during that time, for the markets of Cuba, of our own West Indies, and of South America, were thrown open to them. Their Lordships would see, then, that, with the increase of population that was going on in the United States, the increase of produce would be required at home, and there would be nothing like the enormous exportation that was expected from them into this country. Again, the prices of New York ruled at about 40*s.*; and in addition to that, there would be the cost of carriage before it could reach this country; so that, as with respect to the Continent, the expectation of an enormous importation was not borne out by facts. But then it was said, "Why try this experiment in this great country?" He answered, it was not now tried for the first time. It had been tried here before, and had perfectly succeeded; for from 1766 to 1791, we had practically an entirely free trade in corn. No doubt taxation at that time was not so heavy

as now; but it was distinctly stated by writers of that period, that it did weigh heavily upon labour here as compared with labour on the Continent. At that time, we not only could import corn free here, we could grow corn cheap enough to export it to foreign countries; and what was the case in those years? Was the agriculture of the country in a depressed condition? By no means. On the contrary, large quantities of land were taken into cultivation. From 1766 to 1769, 300,000 acres were taken in; afterwards, from 1769 to 1791, other large quantities. Neither was it by the influence of high prices that this additional cultivation took place, for prices at that time ruled extremely low, varying on the average of quinquennial periods, from 1843 to 1846. In like manner they had tried it in other ports near their own doors. In Jersey they had had a free trade in corn, and the prices had ruled a little, if at all, lower than prices here. He knew that noble Lords would turn round and ask if they did not increase the supply, and did not anticipate a diminution of prices, why they proposed this change? The Government did not propose it because it would reduce prices, but because it would give a stimulus to trade, and set in motion the industry of this country, and so provide the fullest means for agricultural employment. The noble Duke shook his head; but if the activity of trade in manufacturing districts was not the most direct encouragement to agriculture, why was it that such perpetual reference was made to them? He remembered last year, when he received deputations with respect to the railways, that with respect to each of the railways, whether in the centre or from the sides of this county, the principal point on which noble Lords invariably dwelt was the advantages it would afford for an easy and rapid access to agricultural produce to the manufacturing districts. In the districts of Derbyshire this benefit was to be the access to Manchester; in the districts of Lincolnshire it was still the access to manufacturing population; in Argyll and Dumfries it was an easy access to Fleetwood, and so to the manufacturing districts; and if in Ireland, there was still the same burden of the song, the access was to be to some port whence they could reach Liverpool, and so the same manufacturing districts in England. Why was there this yearning after the manufacturing districts? Because the manufacturing districts were the great markets for the agricultural. Every loom they stopped in Manchester stopped a plough in some agricultural part of the country. There could not be a closer connexion between all these districts than was shown by the reports of Committees and the statements of Members of Parliament, that unless the manufacturing interests were in a state of prosperity and employment, the agricultural interest would be in a state of depression, and that whatever promoted a demand in the manufacturing districts acted as a stimulus in the agricultural districts also; and, therefore, in addition to the wish to impose no restriction on the free importation of the food of the people, the Government were convinced that this measure would be attended with none but good results to all classes, and would confer equal benefits on all districts. Hence it was that Her Majesty's Government ventured to propose it to their Lordships' attention. The noble Baron near him (Lord Ashburton) had adverted to the colonial interests, and had asked whether they had anticipated the effect of this alteration of policy on the Colonies; and he asked of what use were the Colonies if they did not afford a protected market for our manufactures? He (the Earl of Dalhousie) ventured to think that the Colonies would be of advantage to us even if there were not a compulsory market. But the question raised by the noble Lord was no longer open; the colonial system, to which he referred, had been broken down long ago. In the West India Colonies it was only in 1842 that under the presidency of his noble Friend the late Secretary of the Colonies there was a free importation of many articles which previously came from Canada, and had since come from America; and in other Colonies the maximum rate of differential duties on all articles, with few exceptions, such as tobacco, has been only seven per cent, which was nothing as compared with the rates which used to be in existence under the old colonial system. So far from forcing upon the Colonies these protective duties, the constant struggle of this country had been to prevent the Colonies from imposing greater differential duties than this country approved. Therefore, the colonial system, as it used to be called, existed no longer. What, then, was the state of facts as to the alteration they were about to make? He thought that if his noble Friend the late Secretary for the Colonies were in his place, he would bear him out in saying that

the only articles on which the change would act injuriously were timber and corn; and of corn there was the most grievous complaint. His noble Friend said that they were about to ruin the political connexion, and the whole of the navigation interests of the Colonies, if this measure passed. But with respect to corn, what was the amount of the carrying trade? The loss would apply only to the corn of the United States, which, by being ground into flour in Canada, acquired the character of colonial produce, and was admitted at 1*s.* duty, and to the corn the produce of Canada herself. He held in his hand a return of the American corn thus brought through Canada; and from the 11th of October, 1843, to the 5th of January, 1844, the quantity was 618 quarters; from the 5th of January, 1844, to the 5th of January, 1845, it was 43,860 quarters; and for the year ending the 5th of January, 1846, it was only 24,490 quarters. Inasmuch as 24,000 quarters was the quantity imported by Canada in the course of the year, it must be obvious, that anything affecting such an amount could produce no very serious result. But some stress had been laid upon the despatch received from Lord Cathcart, which was dated the 28th of January, 1846. Now that despatch did not contain, by any means, the most recent intelligence received from that Colony. Lord Cathcart, in writing that despatch, stated that he wished to lay before Her Majesty's Ministers the views entertained by the Executive Government of Canada, and that he wrote in great haste in order to save the post. That statement surely showed very clearly that the opinions conveyed in that despatch had not been very deliberately formed. There had, however, since that time, been a despatch received in this country from Canada, dated the 26th of March last, that was written after much deliberation, and after the House of Assembly had calmly discussed and considered the intended measure which was now before their Lordships; and had agreed to an Address to the Crown, the sum and substance of which was, that they wished the duty to which they were liable of 1*s.* on every quarter of grain, should be changed into 1*d.*—that what was considered in this country a nominal duty of 1*s.* should be changed into that which they really considered to be nominal duty, namely, 1*d.* In their address which had been printed, and was now on the Table of the House, they set forth that as one of the just claims of the province. Now, he would ask their Lordships if that could be said to bear any appearance of alarm? It was also not unimportant that he should call the attention of their Lordships to the views entertained on this subject, and expressed in the House of Assembly by the leader of each of the two parties. Colonel Prince, the leader of the Ministerial party, stated that he had unbounded confidence in the loyalty of the inhabitants of the province, in their devotion to the mother country, and in their desire to preserve their connexion with it; and he confessed that he did not view the proposition of Her Majesty's Government with any feelings of alarm—he saw no cause whatever why they should despair; and that, for his part, he had always been a supporter of free trade. Mr. Baldwin, the leader of the Opposition party, said that they wanted no foreign interference; that they were proud of the connexion which subsisted between Canada and the mother country; and he believed that the liberal principles which were springing up at home would be no injury to the province, and that though England had formerly treated Canada in the manner that a stepmother treats the family over which she is placed, yet now he rejoiced to say that Canada began to receive better treatment at the hands of the mother country; and that there seemed to exist in England no disposition to oppress her Colonies. On these points, then, it was evident that the leaders of the two parties were agreed. He hoped that the House would now permit him to mention two other Colonies; he meant Nova Scotia and New Brunswick. In the former of these, when a proposition was made for improving the defences of the Colony, the colonists at once offered to place at the disposal of the Governor the whole of the income of the Colony for the purposes of defence should it be needed; and in New Brunswick it was proposed that, in addition, to a sum of 12,000*l.* which had been assigned for the purposes of defence, the whole ordinary revenue of the country should be taken for that purpose also, in order that their connexion with the mother country should be maintained in its fullest and most perfect condition. Although he had never held any office connected with these Colonies, yet he had long resided in them, and he possessed connections and means of information which enabled him to speak upon these points with some confidence. He could confidently say, with respect to them, that there was no want of

loyalty in those quarters: for their attachment to the mother country, he could safely pledge his head—if such a pledge were good for anything—he entertained not a shadow of doubt that if the necessity should ever come, those Colonies would be, one and all, loyally prodigal of their blood, as they had ever been generously profuse in the offer of their treasure. He had touched briefly upon various points, and even in that brief way not upon as many as he should have wished to notice, feeling that as they had devoted so many hours to the discussion of this question, and that at the time at which he spoke, and in the exhausted state of the House, he ought not to take up much more of their time; but there was one point on which he did not wish to remain altogether silent: he referred to the charges of treachery which had been brought against the Government with reference to their present measure. He would admit that it would have been infinitely better if the proposal of the measures now before them had come from another quarter; and he believed every one of his noble Friends around him would echo him in saying that they had witnessed with sincere regret the unsuccessful attempt made by the noble Lords opposite to form a Government by which those measures might have been proposed. When, however, that attempt proved unsuccessful, when the servants of the Crown were called upon to give effect to their own convictions, he maintained the treachery would have been in taking any course different from that which they had taken. Their Lordships might accuse Her Majesty's servants of change of opinion—they might charge them with vacillation—they might arraign them for these faults at the bar of public opinion; but even were all this granted, their Lordships would not be justified in using the word "treachery." No man rated higher than he did the necessity of governing such a country as this by party; he recognized as fully as could any man the obligations of party; but he recognized higher obligations still. He had not the honour of a seat in the Cabinet at the time a decision on these measures was come to; but he was not on that account desirous of repudiating the responsibility of adopting them. He would not say what course had he been of that Cabinet, he would have taken; but he could not find any proportionate degree of responsibility between the First Minister of the Crown, who originated a measure, and his Colleagues in subordinate capacities by whom that measure had been approved: he recognized no such distinction of responsibility: and if it were ever his fate to be placed as Member of a Government, with the alternative such as that placed before his right hon. Friend before him, either of adhering to a party, or giving effect to a faithful and solemn conviction, he should pursue the course pursued by that Minister. He was bound to adhere to his party, he was still more closely bound to do his duty. It were a thousand times better that he should walk the earth branded as a traitor to his party, than that he should live with the consciousness, which under such circumstances would scorch his heart, of having been, if not in the eye of the law, at least in the court of conscience, a traitor to the Sovereign he was bound to advise, a traitor to the responsibility imposed upon him. He heartily hoped he might never be placed in such a position; but if it ever were his lot, he would meet the obloquy, he would submit to the penalty, but he would give true counsel to the Sovereign he served, and would act for the best interests of the people committed to that Sovereign's care. And then, when he had so done, although he might bow his head before the indignation of his party, he should stand upright before a higher power. One word he would add in reminding their Lordships of the consequences of a rejection of this measure, and of the blessings which would arise from an instant adoption of it. He did not wish to be understood as appealing to their fears; he knew that fear would be the last human passion which could affect the conduct of the House of Peers; but he would appeal to their prudence—he would appeal to their justice; he appealed to their prudence that they would not, without earnest deliberation, reject a measure which came to them backed by the recommendation of a large majority of the representatives of the people; and he appealed to their justice that they would not fixedly resolve on permanently maintaining a fiscal policy, the effect of which was, and always must be, to inflict an injury upon the many for the benefit of the few. He adjured them to search closely their hearts before they decided; he adjured them to test closely the arguments offered for such a maintenance; he entreated them to dismiss prejudices, if any such there were, and to satisfy themselves that, when they acted

they acted solely and only for the public weal. Should they so act, he awaited confidently the result of their deliberations. He truly believed that if they adopted this measure, they would, ere long, look back with marvel at the time when they doubted what would be its effects; and he was equally certain they would look back with satisfaction to the assent which they had given. They would look back with satisfaction, because they would then feel they had done all that in them lay to remove a reproach from the legislation of their country—the reproach that it added bitterness to the bitter cup of adversity. They would feel that they had done all that in them lay to smooth for the poor their rugged path; that they had done all that in them lay to mitigate the primeval curse, and to soothe the fate of those whose hard lot it was to earn their bread in the sweat of their brow.

The DUKE of BEAUFORT rose amid loud cries for a division, and said he felt some apology was necessary for rising to address their Lordships at so late an hour of the night. He would not detain them long; but at the same time he felt that he would not be discharging his duty if he did not detain them a few moments while he answered some of the arguments that had been adduced in favour of the measure. He objected to this measure, principally on two grounds. In the first place, he objected to it because it was an impolitic measure, and because it was an unjust measure—as he could not consent to see this country left dependent for its supply of food upon foreign nations. And, in the second place, he saw great objections to it, on account of the quarter from which it emanated. If the measure had been brought forward by noble Lords who sat on the other side of the House, his objections to it would not have been quite so great as they were. The noble Earl opposite (the Earl of Clarendon), to whose ability he was ready to pay every tribute, and whom he always listened to with respect, had said, "Did they suppose that corn was to be the only thing which the Prime Minister was not to touch?" To this he could only reply, that they had always had an assurance that corn should not be touched. He perfectly well remembered that he had, when the Tariff Bill of a former Session was introduced, entertained serious objections to that measure, and gone so far as to remonstrate against it; but he was told at the same time that he knew nothing at all about it—and that he ought to wait a little, when he would see that his coats and shoes, gloves, and so forth, would be much cheaper; and moreover to rest satisfied that corn would never be touched. He could not, however, discover that any of these things were any cheaper. His noble Friend had stated in the course of his speech, that this was not a tenants' but a landlords' question; but on this head, he wished to state a fact or two personal to himself. He happened to possess an estate in Wales, of which the rental was about 4,000*l.* a year, and upon which there were eighty tenants. Their Lordships would therefore at once perceive that their holdings must of necessity be small, and that if this measure passed into a law, these tenants must descend to the lowest state of labourers. He should, no doubt, be told to throw his farms together and let them in a different manner and in larger portions; "but," my Lords (said the noble Duke), "these tenants and their forefathers have lived under my ancestors and myself for many generations. I have, in one parish on this estate, two small farms which are let to one family, members of which have held under my own for no less than 350 years—and another family has held under us for 450 years. And can I send these men to foreign countries—or turn them out to become manufacturers—or to seek their living in the best way they can? My Lords, I had rather cut off my right arm than do any of these things; and proud as I may be of any honours I may possess as a Member of your Lordships' House, of that tenantry I am prouder still. And yet, my Lords, if this Bill passes into a law, this body of men are to be got rid of, and in the same manner would it act upon the 600,000 small farmers in England, and on nearly the same numbers in Ireland." He was sure that the noble Earl opposite (the Earl of Clarendon) was too proud of the name he bore—too proud of the memory of his distinguished ancestors—to be capable of wishing anything of this sort. He could not, however, say the same of others, he feared—at least so far as was to be judged by what they themselves said. One word more before he sat down, as to why he considered this was a tenants' question; and not only that, but why he also thought the tenant farmers themselves so considered it. His noble and learned Friend (Lord Brougham) did not think so; and, though he much admired his eloquence—for *nihil tetigit quod non ornavit*—he could not

agree with him in that opinion. But allow him to ask this question: if the tenant farmers did not think this a tenants' question, how was it that, at the late election for South Nottinghamshire, they returned the hon. Gentleman (Mr. Hildyard) who now represented that division of that county?—how happened it that they, by their own unaided exertions—by themselves alone—returned him as their Member, and free of expense, and in the place of a Cabinet Minister. He could inform their Lordships, also, that he was acquainted with another county in which committees of farmers were now formed for the purpose of opposing the return of another Cabinet Minister, who had declared his intention of standing again. Again, he had himself been asked by the tenant farmers in his own neighbourhood to come to the recent great meeting at Willis's Rooms—a meeting which had been attended by farmers from the east, from the west, from the north, and from the south—a meeting, at which even from East Lothian a deputation was present. His answer was, that he would go; and when he asked them (they were, many of them, members of the yeomanry corps of the district, which was at that time on duty), what arrangements they had made for going, they said they had agreed to go in bodies of two or three from each troop, because, if all were to go who were anxious to go, the whole regiment would attend the meeting. And yet his noble and and learned Friend said that the opinions of the tenant farmers was the other way. The noble Duke then concluded by observing, that it was with very great regret that he separated from noble Lords with whom he had so long been on terms of intimacy and friendship, and with whose principles he had hitherto agreed; and above all, he felt pain in differing from his noble Friend the noble Duke (the Duke of Wellington) behind him, to whom he was bound by so many ties, and whose name must ever be one of the highest ornaments that adorned the history of this country, and which now he deeply regretted to see associated with a measure which, in his conscience, he believed to be fraught with evil and danger to this kingdom.

The Duke of WELLINGTON: My Lords, I cannot allow this question for the second reading of this Bill to be put to your Lordships, without addressing to you a few words on the vote you are about to give. I am aware, my Lords, that I address you on this occasion under many disadvantages. I address your Lordships under the disadvantage of appearing here, as a Minister of the Crown, to press this measure upon your adoption, knowing at the same time how disagreeable it is to many of you with whom I have constantly acted in political life, with whom I have long lived in intimacy and friendship with the utmost satisfaction to myself—on whose good opinion I have ever relied, and, I am happy to say, whose good opinion it has been my fortune hitherto to have enjoyed in no small degree. My Lords, I have already in this House adverted to the circumstances which gave rise to this measure. My Lords, in the month of December last, I felt myself bound, by my duty to my Sovereign, not to withhold my assistance from the Government—not to decline to resume my seat in Her Majesty's Councils—not to refuse to give my assistance to the Government of my right hon. Friend (Sir R. Peel)—knowing as I did, at the time, that my right hon. Friend could not do otherwise than propose to Parliament a measure of this description—nay, more, my Lords, this very measure—for this is the very measure which my right hon. Friend stated to the Cabinet prior to their resignation in the month I have referred to. My Lords, it is not necessary that I should say more upon that subject. I am aware that I address your Lordships at present with all your prejudices against me for having adopted the course I then took—a course which, however little I may be able to justify it to your Lordships, I considered myself bound to take, and which, if it was to be again adopted to-morrow, I should take again. I am in Her Majesty's service—bound to Her Majesty and to the Sovereigns of this country by considerations of gratitude of which it is not necessary that I should say more to your Lordships. It may be true, my Lords, and it is true, that in such circumstances I ought to have no relation with party, and that party ought not to rely upon me. Be it so, my Lords—be it so, if you think proper: I have stated to you the motives on which I have acted—I am satisfied with those motives myself—and I should be exceedingly concerned if any dissatisfaction respecting them remained in the mind of any of your Lordships. I am aware that I have never had any claim to the confidence which you have all reposed in me for a considerable number of years. Circumstances have given it to me; in some cases the confidence of the

Crown, and, in others, the zeal with which I have endeavoured to serve your Lordships, to promote your Lordships' views, and my desire to facilitate your business in this House; and I shall lament the breaking up of that confidence in public life. But, my Lords, I will not omit, even on this night—probably the last on which I shall ever venture to address to you any advice again—I will not omit to give you my counsel with respect to the vote you ought to give on this occasion. My noble Friend (Lord Stanley), whose absence on this occasion I much lament, urged you, and in the strongest manner, to vote against this measure; and he told you, in terms which I cannot attempt to imitate, that it was your duty to step in and protect the people of this country from rash and inconsiderate measures passed by the other House of Parliament, and which, in his opinion, were inconsistent with the views and opinions of the people themselves. My Lords, there is no doubt whatever that it is your duty to consider all the measures which are brought before you, and that it is your right to vote in regard to those measures as you think proper; and, most particularly, it is your duty to vote against those that appear to be rash and inconsiderate; but, my Lords, I beg leave to point out to your Lordships that it is also your duty to consider well the consequences of any vote you give on any subject—to consider well the situation in which you place this House—nay, my Lords, that it is the duty of every one of you to place himself in the situation of this House, to ponder well the consequences of his vote, and all the circumstances attending it, and the situation I repeat, in which this House would be placed if it should adopt the vote which he himself is about to give. This, indeed, has been the line of conduct pursued by this House before. I myself once prevailed upon this House to vote for a measure on which it had pronounced positive opinions by former votes; and persuaded it subsequently to take a course different from that which it had pursued on previous occasions, upon the same subject. My Lords, I now ask you to look a little at the measure in respect of which you are going to give your votes this night—to look at the way in which it comes before you, and to consider the consequences likely to follow your rejection—if you do reject it—of this Bill. This measure, my Lords, was recommended by the Speech from the Throne, and it has been passed by a majority of the House of Commons, consisting of more than half the Members of that House. But my noble Friend said that that vote is inconsistent with the original vote given by the same House of Commons on this same question, and inconsistent with the supposed views of the constituents by whom they were elected. But, my Lords, I think that is not a subject which this House can take into its consideration—for, first, we can have no accurate knowledge of the fact; and, secondly, whether it be the fact or not, this we know, that it is the House of Commons from which this Bill comes to us. We know by the Votes that it has been passed by a majority of the House of Commons; we know that is recommended by the Crown; and we know that, if we should reject this Bill, it is a Bill which has been agreed to by the other two branches of the Legislature; and that the House of Lords stands alone in rejecting this measure. Now that, my Lords, is a situation in which I beg to remind your Lordships, I have frequently stated you ought not to stand; it is a position in which you cannot stand, because you are entirely powerless; without the House of Commons and the Crown, the House of Lords can do nothing. You have vast influence on public opinion; you may have great confidence in your own principles; but without the Crown or the House of Commons you can do nothing—till the connexion with the Crown and the House of Commons is revived, there is an end of the functions of the House of Lords. But I will take your Lordships a step further, and let you see what will be the immediate consequences of rejecting this Bill. It appears very clear, that whatever may be the result of this Bill in this House, the object I had in view in resuming my seat in Her Majesty's Councils will not be attained. I conclude that another Government will be formed; but whether another Government is formed or not, let me ask, do your Lordships suppose that you will not have this very same measure brought before you by the next Administration which can be formed? And do your Lordships mean to reject the measure a second time? Do you mean the country to go on in the discussion of this measure two or three months longer? But the object of the noble Duke and of the noble Lords who have addressed the House against this Bill is, that Parliament should be dissolved

—that the country should have the opportunity of considering the question, and of returning other representatives; and that it may be seen whether or not the new House of Commons would agree to this measure or not. Now, really if your Lordships have so much confidence, as you appear to have, in the result of other elections, and in the exercise of public opinion on this question, I think that you might venture to rely upon the elections which must occur, according to the common course of law, in the course of a twelvemonth from this time; and that you might leave it to the Parliament thus elected to consider the course which it will take on the expiration of the term of the Bill now before you; for that Bill is to last only till the year 1849. I think your Lordships might trust to that Parliament to take the matter into consideration at that time, without interfering with the prerogative of the Crown, by compelling the Queen to dissolve Parliament as the immediate consequence of the rejection of the present measure. Your Lordships, therefore, have now the option of immediately accepting this Bill, reserving it to another Parliament to pass or reject it again, if again the question should be brought forward, or of rejecting the Bill now, and obtaining a fresh election, of which you are so desirous: your Lordships have that choice—you may reject the Bill now, or you may appeal again to the new Parliament to confirm or reject it, at the time when its operation will cease, in the year 1849.

The question was then put that "now" stand part of the Motion?

Contents, Present 138; Proxies 73—211: Non-Contents, Present 126; Proxies 38—164: Majority for the second reading 47.

List of the CONTENTS.

Lord Chancellor

DUKES.

Norfolk
St. Alban's
Buccleuch
Roxburgh
Leinster
Wellington

MARQUESSES.

Winchester
Huntley
Lansdowne
Abercorn
Sligo
Camden
Cholmondeley
Londonderry
Conyngham
Ormonde
Clanricarde
Breadalbane
Westminster
Normanby

EARLS.

Devon
Suffolk
Denbigh
Westmorland
Essex
Shaftesbury
Scarborough
Jersey
Erroll
Home
Haddington
Galloway
Dalhousie
Aberdeen
Roseberry
Glasgow
Cowper
Radnor
Spencer
Bathurst
Clarendon
Talbot
Fortescue
Liverpool
Meath
Besborough
Mornington
Courton
Charlemont
Clanwilliam
Clare
Leitrim
Bandon
Rosslyn
Craven
Romney
Chichester
Gosford
Grey
Minto
Verulam
St. Germans
Morley
Howe
Burlington
Ripon
Granville
Effingham
Lovelace
Zetland
Auckland
Ellenborough
Uxbridge
Bruce

VISCOUNTS.

Strathallan
Torrington
Sydney
Clifton
Hawarden
Canning

BISHOPS.

Durham
Lincoln
Chester
Ripon
Salisbury
Norwich
Hereford
St. David's
Worcester
Lichfield
Oxford
Tuam

LORDS.

Dacre
Camoys
Byron
Rollo
Kinnaird
Montfort
Foley
Carteret
Suffield
Thurlow
Lyttelton
Calthorpe
Blayney
Gardner
Rivers
Sandys
Crewe
Churchill
Prudhoe
Howden
Glenlyon
Delamere
Forester
Wharncliffe
Brougham
Dinorben
Denman
Carew
Hatherton
Strafford
Cottenham
Langdale
Lovat
Portman
De Mauley
Wrottesley
Sudeley
Leigh
Lurgan
Dunfermline
Monteagle
Keane
Campbell
Vivian

Proxies.

ARCHBISHOP.

Canterbury

DUKES.

Somerset
Leeds
Bedford
Devonshire
Hamilton
Argyll
Northumberland
Sutherland

MARQUESSES.

Tweeddale
Hertford
Bute
Donegall
Headfort
Northampton
Anglesey
Bristol
Ailsa

EARLS.

Pembroke
Lindsey
Carlisle
Albemarle
Stair
Buckingham
Fitzwilliam
Cornwallis
Mount Edgcumbe
Cork
Fingall
Kingston
Sefton
Caledon

Kenmare
Rosse
De Grey
Dunraven
Amherst
Camperdown
Lichfield
Ducie

VISCOUNTS.

Melbourne
Melville

BISHOPS.

London
Carlisle
Peterborough
Ely
Limerick

LORDS.

Stourton
Petre
Saye and Sele
Dormer
Ward
Monson
Wodehouse
Cloncurry
Dunally
Abercromby
Erskine
Manners
Castlemaine
Downes
Bexley
De Tabley
Plunket
Heytesbury
Talbot of Malhahide
Poltimore
Mostyn
Godolphin
Methuen
Stuart de Decies
Colborne
Seaton

List of the NON-CONTENTS.

DUKES.

Richmond
Grafton
Beaufort
Marlborough
Rutland
Montrose
Manchester
Newcastle
Buckingham
Cleveland

MARQUESSES.

Salisbury
Downshire
Ely
Exeter
Westmeath

EARLS.

Huntingdon
Winchilsea
Chesterfield
Sandwich
Cardigan
Abingdon
Eglintoun
Kinnoull
Airlie
Selkirk
Orkney
Oxford
Dartmouth
Aylesford
Stanhope
Pomfret
Ashburnham
Warwick
Guilford
Hardwicke
Delawarr
Mansfield
Beverley
Carnarvon
Cadogan
Malmesbury
Egmont
Longford
Enniskillen
Wicklow
Lucan
Wilton
Limerick
Clancarty
Powis
Nelson
Charleville
Manvers
Oxford
Lonsdale
Harewood
Brownlow
Bradford
Sheffield
Eldon
Falmouth
Somers
Stradbroke
Cawdor
Munster
Ranfurly

VISCOUNTS.

Hereford
Maynard
Strangford
Middleton
Gage
Doneraile
St. Vincent
Sidmouth
Lorton
Lake
Exmouth
Beresford
Combermere
Canterbury
Ponsonby
Hill

BISHOPS.

Winchester
Bangor
Rochester
Llandaff
Glocester
Exeter
Chichester

LORDS.

Stanley
De Ros
Hastings
Clinton
Beaumont
Willoughby de Broke
St. John
Saltoun
Polwarth
Sondes
Boston
Hawke
Walsingham
Southampton
Grantley
Berwick
Sherborne
Kenyon
Braybrooke
Carrington
Bayning
Boltyn
Northwick
Lifford
Clonbrock
Crofton
Redesdale
Colchester
Rayleigh
Faversham
Tenterden
Skelmersdale
Wynford
Templemore
Abinger
Ashburton
De Freyne

Proxies.

DUKE.

Portland

EARLS.

Shrewsbury
Poulett
Moray
Balcarres
Seafield
Ferrers
Tankerville
Macclesfield
Waldegrave
Ilchester
Digby
Shannon
Roden
Mount Cashell
Mayo
Erne
Donoughmore
Onslow
Beauchamp
Glengall
Yarborough
Gainsborough

VISCOUNTS.

Arbuthnott
De Vesci
O'Neill

LORDS.

Willoughby d'Eresby
Vaux
Sinclair
Reay
Dynevor
Bagot
Farnham
Alvanley
Ravensworth
De Saumarez

BISHOPS.

St. Asaph
Bath and Wells

Earl Belhaven paired (for the Bill) with the Earl of Lauderdale (against it.)

Bill read 2ª. accordingly.

House adjourned.

HOUSE OF COMMONS,

Thursday, May 28, 1846.

MINUTES.] PUBLIC BILLS. 1°. County Works Presentments (Ireland) Amendment.

2°. Ropemakers; Service of Heirs (Scotland); Crown Charters (Scotland).

3°. and passed. Corresponding Societies and Lecture Rooms.

PETITIONS PRESENTED. By Mr. Shaw, from Bishop and Beneficed Clergy of the Diocese of Tuam and the United Dioceses of Killala and Achonry, for Alteration of the Church Temporalities (Ireland) Act.—By Mr. Bouverie, from Members of the Free High Church Presbyterian Congregation, Kilmarnock, and by Captain Gordon, from Inhabitants of the Parishes of Fyvie, Auchterless, Forgue, and Drumblade, complaining of Refusal of Proprietors of Land to grant Sites in suitable Places, or on any terms, for the Erection of Churches for the use of the Free Church in Scotland.—By Mr. Tatton Egerton, from Inhabitants of the Township of Nether Knutsford, and by Sir De Lacy Evans, from Parochial Authorities of the United Parishes of St. Margaret and St. John, Westminster, for tne Adoption of Measures for promoting the Due Observance of the Lord's Day.—By Viscount Morpeth, from Archbishop and Secular Clergy of the Roman Ca-

tholic Church in Dublin, and from several Noblemen and Gentlemen, for removing Disabilities from Religious Orders.—By Viscount Morpeth, from Clergymen and Laymen, Inhabitants of Skipton, Hazlewood, Allerton, and Broughton, in favour of the Roman Catholic Relief Bill.—By Viscount Clive, from Inhabitants of Stoke Edith and Retford; by Sir Robert Harry Inglis, from Inhabitants of Quarley; by General Lygon, from Rural Dean and Clergy of the Deanery of Powick; and by Mr. Watts Russell, from Clergy and Laity of the Rural Deanery of Uttoxeter, against the Union of the Sees of St. Asaph and Bangor, but providing for the Immediate Appointment of a Bishop to the newly erected See of Manchester.—By Sir Robert Harry Inglis, and Mr. Thomas Mackenzie, from Moderators and Remanent Members of the Presbyteries of Dingwall, St. Andrews, and Chanonry, against the Abolition of the existing Religious Tests in the Universities of Scotland.—By Mr. Plumptre, from Guardians of the Poor of the Eastry Union, for Rating Owners of Small Tenements to the Poor Rates in lieu of Occupiers.—By Mr. Mark Philips, from Directors and Members of the Athenæum, Manchester, in favour of the Corresponding Societies and Lecture Rooms Bill.—By Viscount Morpeth, from Members of the Belfast Society for the Prevention of Cruelty to Animals, for Alteration of Law respecting Cruelty to Animals.—By Sir Henry Winston Barron, from John Donovan, of the City of London, late a Searcher and Landing Waiter in Her Majesty's Customs, at Rochester, for Inquiry.—By Mr. William Williams, from Mayor, Aldermen, Councillors, Burgesses, and other Inhabitants of the Town, Borough, and Liberty of Aberystwith, for the Extension of Education in Wales.—By Sir Robert Harry Inglis, from Factory Workers in the Employ of Messrs. Fielden Brothers, of Stone's Wood Mill, in the Township of Todmorden, for Limiting the Hours of Labour in Factories to Ten in the Day for Five Days in the Week, and Eight on the Saturday.—By Mr. Robert Currew, from Guardians of the Poor of the Dungarvan Union, for Alteration of Law respecting Grand Jury Presentments in Ireland.—By Mr. Mackinnon, from Inhabitants of the City of Worcester and its Vicinity, for Sanatory Regulations.—By Viscount Morpeth, from the Guardians of the Poor of the Bradford Union, against the Highways Bill.—By Viscount Bernard, from President and Members of the Medical Society of the City of Cork, for the Better Regulation of Medical Charities in Ireland.—By Mr. Sharman Crawford, from Guardians of the Poor of the Rochdale Union, for Alteration of the Poor Law.—By Mr. Broadley, from Guardians of the Poor of Skirlaugh Union, for Alteration of the Poor Removal Bill.—By Mr. Baine, from Inhabitants of the Town of Greenock, against the Protection of Life (Ireland) Bill.—By Mr. Protheroe, from Passengers travelling between Birmingham and Bristol by Railway on the 19th of May, 1846, complaining of the Break of Gauge on Railways.—By Mr. Thomas Duncombe, from Shareholders in the Trent Valley Continuation and Holyhead Junction Railway, for Alteration of the Railway Companies Dissolution Bill.—By Lord Norreys, from Trustees and Managers of the Savings' Bank established at Banbury, in the County of Oxford, for Alteration of Savings' Banks Act.

ANDOVER UNION.

VISCOUNT COURTENAY moved, pursuant to notice, that the Andover Union Committee have power from time to time to report its proceedings to the House.

SIR J. GRAHAM wished to hear from the noble Lord some explanation respecting this Motion. He understood that the first time the Motion for printing the evidence was made in Committee, and at a full meeting it was rejected by a majority of six to four. [An hon. MEMBER: No, by the casting vote of the Chairman.] Then it was lost by the casting vote of the Chairman; but in two or three days after the rejection of this Motion, it was again brought forward and carried by a small majority, and against the opinion of the noble Lord, who was in the chair. Now, he thought some Parliamentary reason should be assigned why the evidence in this particular case should be reported from time to time. It was an unusual request, and the House had reason to look for an explanation.

VISCOUNT COURTENAY observed, that the right hon. Baronet was quite correct in stating that the question was before the Committee on two occasions; that on the first occasion the numbers for and against the Motion were equal; and it was rejected by his casting vote. On the second occasion the numbers were six to four in favour of printing the evidence. He still retained his opinion, that in the circumstances of the case it was not expedient that such a Motion should be carried. At the same time, he was bound to state that the Committee was sitting with open doors, that the public were allowed to come in, and that reports of the proceedings of the Committee found their way to the public. Those reports were of course not in an authentic shape, and were often inaccurate, and there could be no doubt that an authentic account of the proceedings, coming from the Committee itself, would be the means of furnishing correct information both to the House and the public. He must, however, state, that he had made this Motion as the organ of the Committee, and not on his own responsibility.

MR. WAKLEY said, that when the right hon. Baronet (Sir J. Graham) said that a Parliamentary reason ought to be given for this Motion, the House would remember that there was the same reason for it that there had been in the case of the Committee which sat in 1836 and 1837 on the administration of the Poor Law. The right hon. Baronet was a Member of that Committee, he believed; and he was sure that the right hon. Baronet would recollect that after every sitting of the Committee the evidence had been reported to the House by Mr. Fazakerly, the Chairman of the Committee. He was sure that would be in the recollection of hon. Members, and, that being the case, he considered that it was for the right hon. Baronet to show why the precedent established on that occasion should be departed from on this. It was for the House

to determine whether the evidence should be reported from day to day or not; but he trusted they would accede to the Motion, for if they did not, and if the evidence were printed all at once in a body, it was his conviction that it never would be read by the public. For himself, he hoped he should be acquitted of having acted unfairly in the course he had taken in the Committee. It had not been his object, in bringing forward a second time the Resolution for reporting the evidence from day to day, to take the Committee by surprise. He had been beaten on the first occasion by the casting vote of the Chairman, and he had then given notice that he should repeat the Motion at the next sitting of the Committee. The Committee, therefore, had the most ample notice of what was coming on. Considering the public importance of the questions involved in this evidence, he trusted that the House would agree to the Motion.

Mr. BOUVERIE, thought that this being a case in which an investigation was going on most intimately connected with the interests of private individuals, if the evidence were reported from time to time, they would only be giving to the world one-sided statements, which might be contradicted by subsequent evidence, but in the mean time might do much injury to the parties concerned. He must say that he did think it a hardship on the parties mentioned in the evidence that there should be parties in the Committee-room taking notes for the purpose of publishing the evidence; and he did think that it was worthy the consideration of the Committee whether they should not prevent any notes being taken; he believed that they had the power to do so, and he thought that justice to the parties demanded it.

Sir J. GRAHAM said, that the hon, Member (Mr. Wakley) had referred to the precedent of 1836 and 1837. Now, he (Sir J. Graham) had an indistinct recollection of what had occurred on that Committee, but, if he remembered rightly, he opposed in the Committee the Motion for reporting to the House from day to day; and the Motion which it was now sought to obtain the assent of the House to was the first Motion of the kind since that precedent had been established. Undoubtedly the Committee might either exclude strangers, or if, admitting strangers, they found any of them taking notes of the proceedings for the purpose of publication, there could not be a doubt that such a publication would be a breach of the privileges of the House. The Committee might bring such publication before the House, and he had not a doubt that it would be considered to be a breach of privilege. It was quite true that the Motion was in form only to report the evidence from day to day to the House; but he presumed the object was to follow that up, if it were carried, by the ulterior Motion that the evidence so reported be printed. To that he should be decidedly opposed, considering such a proceeding to be quite opposed to justice and fairness to the parties concerned in this investigation.

Mr. ETWALL did not see any objection to the publication, in an abbreviated form, of the facts as they came before the Committee. This was a public Committee; the public were admitted by the Committee to hear the evidence, and, that being the case, he could not conceive what harm could arise from the publication of it in print. He thought it would be much better for the persons against whom charges might be made in the course of the evidence to have those charges appear in print in an authentic form.

Captain PECHELL bore witness to the extreme approbation which the noble Lord opposite had earned from the Committee, and every Member of it, by his conduct as Chairman. He did not believe that any Member of the Committee would put in exercise either of the two powers which the right hon. Baronet had so kindly reminded them that they were invested with; he believed they would neither exclude the public nor seek to treat the publication of the evidence as a breach of privilege. He trusted the House would support the views of the Committee.

Mr. PAKINGTON said, that perfect harmony had prevailed in the Committee, much of which he thought was attributable to the courtesy and good judgment with which the noble Lord had conducted himself in the chair. He (Mr. Pakington) had voted on both divisions against reporting to the House from day to day, on the ground that it was not for the public good that evidence so deeply affecting the parties mentioned in it should be published until the whole of it could be presented to the House. It would be the much better course for the Committee to put an end to the partial publication of their proceedings. He was bound to state that he entirely agreed with the right hon. Baronet, and should vote against the Motion.

Mr. T. DUNCOMBE had voted in the

Committee, on the first division, against the evidence being reported from day to day. He should have done the same on the second division, if he had not been accidentally absent at the moment the division occurred. There might be garbled reports of the evidence given to the public by persons who attended the Committee-room to take notes of what occurred; but those persons did so at their own peril. The House had nothing to do with that; but they ought to recollect that much of this evidence—and very loose it was—consisted of criminations and recriminations of individuals, and was connected with nothing but mere local squabbles in the town of Andover. He would venture to say the public cared nothing about it. They had heard of parish meetings, in which it had been said of one of the speakers that the eyes of all Europe were on that man; and, perhaps, it might be that the people of Andover thought that all Europe was longing for this evidence. The House had lately legalized their own publication of libellous matter; and he would say that there was a great chance of libellous matter being brought out in the evidence before this Committee, which, if this Motion were carried, would be printed from day to day, and go forth to the world. Now, the evidence was chiefly *ex parte* so far as it had gone, and he said therefore that it would not be fair or just to the parties concerned to publish it. The newspapers published it at their peril, and the parties libelled had a remedy against them; but if the House published these libels, the parties would have no remedy. One witness had stated to the Committee that seven or eight other witnesses were all perjured, and persons of bad character. If the newspapers put that in print, the parties designated would have an action of libel against them, but if the House published that statement, the parties would have no redress. The precedent of the Committee of 1836 and 1837 had, he maintained, no analogy to the present occasion. That was an inquiry into the administration of the Poor Law throughout the country and into its general operation; it was not an investigation of local charges against individuals. He thought it would be unjust and unfair to pass this Motion.

LORD COURTENAY, as the organ of the Committee, did not feel justified in doing otherwise than taking the sense of the House on the Motion which he had been ordered to make as Chairman.

House divided — Ayes 16; Noes 81: Majority 65.

List of the AYES.

Archbold, R.	Morris, D.
Armstrong, Sir A.	Pechell, Capt.
Bagge, W.	Plumridge, Capt.
Bowring, Dr.	Sheridan, R. B.
Collett, J.	Somers, J. P.
Dawson, hon. T. V.	Stanley, hon. W. O.
Duke, Sir J.	
Hamilton, Lord C.	TELLERS.
Hill, Lord M.	Etwall, R.
Hume, J.	Wakley, T.

List of the NOES.

Baillie, H. J.	Houldsworth, T.
Baine, W.	Howard, hon. C. W. G.
Bernal, R.	James, W.
Bouverie, hon. E. P.	Jocelyn, Visct.
Bowles, Adm.	Kelly, Sir F. R.
Bramston, T. W.	Kemble, H.
Brotherton, J.	Lincoln, Earl of
Brownrigg, J. S.	Lindsay, hon. Capt.
Bruce, Lord E.	Lygon, hon. Gen.
Cardwell, E.	Mackinnon, W. A.
Carew, W. H. P.	Mangles, R. D.
Clerk, rt. hon. Sir G.	Milnes, R. M.
Cockburn, rt. hn. Sir G.	Mitchell, T. A.
Colebrooke, Sir T. E.	Morgan, O.
Collett, W. R.	Northland, Visct.
Craig, W. G.	O'Brien, A. S.
Davies, D. A. S.	O'Connell, M. J.
Denison, E. B.	Pattison, J.
Dennistoun, J.	Peel, rt. hon. Sir R.
Dickinson, F. H.	Pennant, hon. Col.
Divett, E.	Philips, G. R.
Douglas, Sir C. E.	Phillpots, J.
Drummond, H. H.	Plumptre, J. P.
Duncan, G.	Richards, R.
Duncombe, hon. O.	Round, C. G.
Dundas, D.	Smith, B.
Egerton, W. T.	Smith, rt. hn. R. V.
Elphinstone, Sir H.	Smythe, hon. G.
Feilden, W.	Somerset, Lord G.
Fuller, A. E.	Spooner, R.
Goulburn, rt. hon. H.	Trollope, Sir J.
Graham, rt. hon. Sir J.	Trotter, J.
Greene, T.	Turner, E.
Hamilton, G. A.	Vane, Lord H.
Hamilton, W. J.	Vesey, hon. T.
Hastie, A.	Waddington, H. S.
Hawes, B.	Wood, Col. T.
Hayes, Sir E.	Wrightson, W.
Henley, J. W.	Young, J.
Hodgson, R.	TELLERS.
Hope, Sir J.	Duncombe, T.
Hope, G. W.	Pakington, J. S.

BRIDPORT ELECTION.

The Order of the Day read for the Adjourned Debate on the Bridport Election, upon which

MR. HENLEY rose to move the following Amendment, to add at the end of the question after the word "Romilly"—

"And whether any means were resorted to by parties to the Petition, or others, for withholding from the consideration of the Committee matters

contained in the allegations of the Petition having reference to bribery and treating."

The hon. Member contended that it was evident upon the face of the proceedings of the Committee, that there must have been a compromise for the purpose of avoiding a disclosure of the circumstances complained of in the petition. The petitioners complained of bribery and treating, and that was the point referred to them to inquire into. Well, the Committee did not say that bribery had not been proved, but that they postponed the consideration of it, thereby giving no judgment on the point at all. If the House permitted such a practice as this to go on, the public would come to the conclusion that the Members of that House were careless of such charges, seeing that they did not avail themselves of the power which the law gave them to investigate charges of this kind; and the result would be that some other tribunal would be found necessary to exercise jurisdiction in such cases in room of that House; a result which he, for one, should grealy deprecate. The hon. Member also maintained that the Speaker, in giving his casting vote on this question in the previous debate, exercised a power not authorized by Act of Parliament. For those reasons, he moved the Amendment of which he had given notice.

MR. BANKES seconded the Motion, and insisted that the House was bound to inquire into this case, in order to vindicate its conduct in the eyes of the public. It had been stated in the previous debate by the hon. Member for Nottingham (Mr. Gisborne), that the practice of "jobbing the votes" before Election Committees was quite notorious, If such were the case, that was another reason for inquiry, in order to see what amendment of the law was necessary to prevent this system being acted upon. It might be said that the Act commonly known as Lord John Russell's Act would afford a sufficient remedy. He denied that it would, for it could only be brought into operation if an elector of the borough would run the risk of subjecting himself to the forfeiture of 500*l.*, which was the amount of his recognizances; and if he failed to prove his charges he was mulcted in that sum.

The SOLICITOR GENERAL felt it his duty to oppose the Motion of the hon. Member, and, upon this simple ground, that a remedy was provided by the Act of Parliament introduced by the noble Lord the Member for London calculated exactly to meet the case, if any ground existed for the Motion. From this Act it appeared that not only would a Committee be appointed with power to inquire, but it would be their duty to inquire whether extensive bribery had or had not been committed; and if it appeared that it had been committed, to report all matters relating to it to the House, which would take such steps against the parties committing the bribery as they should see fit. If, then, any elector or other person competent to do so had any real ground for bringing this matter under the notice of the House, there was a legitimate mode appointed by law for inquiring into it, and, therefore, he opposed the present Motion.

MR. DUNCOMBE said, that the House had already agreed to an inquiry into this matter; and the question now before the House was, whether the Committee should not be required to carry it a little further, and endeavour to ascertain whether any means had been resorted to for withholding the consideration of bribery and treating alleged to have taken place. Well, what were the reasons for refusing it? It was said that Lord J. Russell's Act enabled him to inquire under certain circumstances: that might be quite true, but there was nothing in that Act to relieve the House from the responsibility of inquiring under other circumstances. It was the right of the subject that there should be such an inquiry. There had been a petition charging bribery and treating; but that was evaded by the Committee not going on with the inquiry. Was it intended to be laid down, that if Members of that House rose and made out a *primâ facie* case of bribery, the House was not to inquire into it? He maintained that they ought not to shrink from the subject, but that it was due to the honour of the House, where allegations of bribery had been so broadly made, that a Committee should be appointed, and he should vote accordingly.

SIR W. JAMES should vote with the Government on this question, as he did not think any ground had been laid by the hon. Member for Oxfordshire. Rockett had only called on the House to inquire into the circumstances attending his own vote, and not into any more general matters; and in the absence of any such request, as the Act of Parliament was so decisive, he should vote against the hon. Member for Oxfordshire.

SIR D. L. EVANS reminded the House

that this was not the first or second time that bribery had been proved, or at least generally supposed to exist, in the borough of Bridport. The allegations of Members of that House were worthy of attention, and the question ought not to be blinked by means of a mere technicality of law. The public would believe that they wished to screen corruption.

SIR R. PEEL said, the natural impulse at first was, of course, to accede to any proposition to inquire into alleged bribery and corruption; and the question now was, whether or no they should appoint a Committee to determine whether or no there had been bribery at the Bridport election. Fortunately in this case there was no party or personal feeling to interfere with the dispassionate decision of this case. But while they were naturally anxious to inquire into allegations of bribery, they should not lose sight of the natural tendency there was in a popular assembly to decide questions by party feeling, nor of the circumstances under which, in the time of Sir R. Walpole, the power to decide on disputed questions of the sort was given to Election Committees. He ventured to say, that if the House were to resume the right of jurisdiction, the time would soon come when the decisions on such questions would again be decided by party and political considerations, and not by justice. The House could not have forgotten the time when a regular canvass was resorted to in order to obtain a majority. It was to stop such proceedings that the House had divested itself of the power of giving the decision of such matters to Committees appointed *pro hac vice*, and had given it to Committees appointed under statute to decide judicially. He feared that the course now recommended by the hon. Member would establish an inconvenient precedent. An inquiry would by no means be precluded by their refusing to agree to the recommendation of the hon. Member for Oxfordshire. The Speaker, though he (Sir R. Peel) would by no means say that his opinion was necessarily conclusive, had said that under the 5th and 6th Victoria it would still be competent to any elector to present a petition praying for an inquiry into alleged bribery, on which the House would appoint a Committee, with power to examine on oath, and to decide judicially; and the vote of the right hon. Gentleman had proceeded on that ground, thinking, as he did, that the Committee then moved for would have no better means of deciding than the Bridport Election Committee had had. If such a petition were presented, and bribery were established by the evidence of a single witness, the question of compromise could not be excluded from the inquiry of the Committee; so that by the adoption of such a course the whole question would be legally decided by a Committee appointed under the Act known as Lord J. Russell's Act, the express object of which was to prevent inquiries of this sort, at the mere instance of individual Members, by Committees with no more powers than those of an ordinary Select Committee. Feeling, then, that the authority of the Committee must be maintained, and that no Committee presided over by the right hon. Gentlemen the Member for Halifax would neglect its duty, he should now give the vote which he considered he had substantially given on the former occasion, against the Amendment of the hon. Member for Oxfordshire.

MR. HUME said, the right hon. Baronet had done all he could to draw the House away from the real question, which had nothing whatever to do with the party influence formerly exercised; because, whatever way the inquiry asked for might be decided, the seat could not be affected by it. The real question at issue was the credit and character of that House. The right hon. Baronet said, it was open to the electors to petition; but the time for petitioning expired on the 6th of June, and the adjournment for the holidays was until nearly that time.

MR. LAW was of opinion that the Committee had had, under the Act, full power to inquire into the cause of the abandonment of the charge of bribery. Words which gave them that authority were introduced into the first section, and as industriously excluded from the fourth; but the Committee, instead of inquiring, as they were authorized to do, adopted the extraordinary course complained of in the petition of Rockett—they did not receive the evidence of the poll-clerk, which would have decided the question; but, acting on the evidence of a stranger to the record, they shifted the vote of Rockett from one poll to the other. He thought that the House should not allow this opportunity to escape of ascertaining whether there had been a compromise or not.

MR. S. WORTLEY said, what had fallen from the right hon. Gentleman appeared to him an additional reason why the Amendment of the hon. Member for Ox-

fordshire should not be agreed to. The authority of the Committee ought to be supported. It was appointed under the Act known as Lord J. Russell's Act, by the first section of which specific tribunals were to be established for the purpose of deciding such questions. That Committee had exercised its discretion. No new evidence was afforded, no new petition had been presented, and he agreed with the Speaker in thinking that if a Committee were now appointed, they would have no better means of deciding the case than the Bridport Election Commitee had. The Committee now moved for would, in fact, be a court of appeal from that Committee. On the other hand, it was still open to the electors to petition, and a Committee might then be appointed which would have much greater power than a Select Committee of that House.

Mr. WAKLEY denied that there was no new matter before the House; but, after all, the real question was, whether the House desired to be left in ignorance of what their own tribunal had done. The character of the House was suffering through the conduct of the Committee. He gave them credit for the best intentions; but out of doors every one was laughing at the decision of the Committee. They were bound to inquire whether the tribunals they had established for the trial of election cases were efficient. If it turned out that the Committee in this instance had discharged its duty, the investigation would redound to the credit of the House.

The House divided on the Question, that the words proposed by Mr. Henley be added:—Ayes 48; Noes 80: Majority 32.

List of the Ayes.

Ackers, J.
Allix, J. P.
Armstrong, Sir A.
Benett, J.
Bennett, P.
Bentinck, Lord H.
Beresford, Major
Borthwick, P.
Bridgeman, H.
Broadwood, H.
Brotherton, J.
Buller, Sir J. Y.
Cayley, E. S.
Christopher, R. A.
Collett, J.
Dawson, hon. T. V.
Duncan, G.
Duncombe, T.
Etwall, R.
Evans, Sir De Lacy
Floyer, J.
Fuller, A. E.
Grosvenor, Lord R.
Halsey, T. P.
Hamilton, J. H.
Hildyard, T. B. T.
Hill, Lord E.
Hindley, C.
Hume, J.
Ingestre, Visct.
Law, hon. C. E.
Lawson, A.
Marsland, H.
Morris, D.
Mostyn, hon. E. M. L.
Newdegate, C. N.
Pechell, Capt.
Plumridge, Capt.
Rashleigh, W.
Richards, R.
Sheridan, R. B.
Spooner, R.
Stanley, hon. W. O.
Thornely, T.
Trelawny, J. S.
Trollope, Sir J.
Villiers, hon. C.
Wakley, T.

TELLERS.
Bankes, G.
Henley, J. W.

List of the Noes.

Alexander, N.
Archbold, R.
Balfour, J. M.
Baring, rt. hon. W. B.
Bernal, R.
Bowes, J.
Bowles, Adm.
Bramston, T. W.
Brownrigg, J. S.
Bruce, Lord E.
Busfeild, W.
Butler, P. S.
Cardwell, E.
Clerk, rt. hon. Sir G.
Clive, Visct.
Cockburn, rt. hn. Sir G.
Colebrooke, Sir T. E.
Corry, rt. hon. H.
Courtenay, Lord
Cripps, W.
Damer, hon. Col.
Davies, D. A. S.
Denison, E. B.
Douglas, Sir C. E.
Drummond, H. H.
Duke, Sir J.
Egerton, W. T.
Ellice, rt. hon. E.
Fitzroy, hon. H.
Forman, T. S.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Granby, Marq. of
Greene, T.
Hamilton, W. J.
Hamilton, Lord C.
Hawes, B.
Hayes, Sir E.
Herbert, rt. hon. S.
Hope, Sir J.
Hope, G. W.
Hornby, J.
Humphery, Ald.
James, Sir W. C.
Jermyn, Earl
Jocelyn, Visct.
Kelly, Sir F.
Kemble, H.
Kirk, P.
Lincoln, Earl of
Lindsay, hon. Capt.
Lygon, hon. Gen.
Mackinnon, W. A.
Mahon, Visct.
Marjoribanks, S.
Meynell, Capt.
Milnes, R. M.
Morpeth, Visct.
Neville, R.
Northland, Visct.
Pakington, J. S.
Peel, rt. hon. Sir R.
Peel, J.
Pennant, hon. Col.
Phillpotts, J.
Repton, G. W. J.
Ricardo, J. L.
Smythe, hon G.
Somerset, Lord G.
Somerville, Sir W. M.
Stewart, J.
Thesiger, Sir F.
Trench, Sir F. W.
Troubridge, Sir E. T.
Vane, Lord H.
Vivian, J. E.
Wellesley, Lord C.
Wood, C.
Wood, Col. T.
Wortley, hon. J. S.

TELLERS.
Young, J.
Baring, H. B.

It was then ordered—

"That the Petition of William Rockett be referred to a Select Committee, to be appointed to inquire into all the circumstances under which Joseph Welch gave Evidence before the Select Committee on the Bridport Election Petition, that William Rockett voted for Mr. Romilly."

THE COLONIAL OFFICE.

Mr. V. SMITH adverted to the appointment of Mr. Rogers as additional Under Secretary in the Colonial Office. He thought the Office ought to have been remodelled, rather than a gentleman nominated in disregard of the claims of those who had long been connected with the department, and who had efficiently discharged their duties. Mr. Rogers had been Registrar General under the Joint Stock Act, and had hitherto had nothing to do with the Colonial Office.

The CHANCELLOR OF THE EXCHEQUER wished the right hon. Gentleman had given him notice of his intention to introduce the subject. It was proposed to appoint an Assistant Secretary in the Colonial Office, for the purpose of aiding Mr. Stephen, particularly in reference to Colonial Acts. Mr. Stephen had pointed out the necessity of having a person to look after these. The gentleman who held this appointment would also perform the duties of Third Commissioner of Emigration, without receiving any additional salary. An appointment which had lately fallen vacant in the Colonial Office had not been filled up, and new arrangements were in contemplation for remodelling the Office, and reducing the number of the chief clerks.

Subject at an end.

House adjourned at a quarter before Eight.

HOUSE OF COMMONS,

Friday, May 29, 1846.

MINUTES.] PUBLIC BILLS.—1°. Drainage.
Reported. Coroners (Ireland).
PETITIONS PRESENTED. By Sir George Grey, from Passengers travelling between Birmingham and Bristol by Railway, on the 26th of May, complaining of Break of Gauge on Railways.—By Mr. M'Carthy, from the City of Cork, praying that all Expenses for the Erection and Maintenance of Lighthouses, Beacons, and Floating Buoys on the Coasts of the United Kingdom, should henceforth be defrayed out of the Public Revenue.—From Lord Vernon, and others, respecting the Increase of Tolls on Railways.

ADJOURNMENT AND BUSINESS OF THE HOUSE.

SIR R. PEEL rose to move, in pursuance of notice, that the House at its rising do adjourn to Friday next, and took that opportunity of explaining in what order it would be his duty, on the part of the Government, to propose to bring on public business immediately after the recess.

SIR G. GREY wished the right hon. Baronet to state what was intended by the Government with respect to the Poor Removal Bill. It had been a long time before the House, and there was a great deal of interest felt in it out of doors; and it was therefore desirable that the country should be informed what were the intentions of the Government with respect to it.

SIR R. PEEL said, he should give the earliest day after the Irish Bill had been disposed of to the Poor Removal Bill.

MR. J. O'CONNELL begged to give notice, on the part of himself and his friends, that so long as the Irish Coercion Bill was before the House, they would feel it their duty, as Irish Members, to oppose the Motion for giving preeedence to Orders of the Day over Motions on Thursdays; and, failing in that, it would be their duty to move Amendments on the Orders of the Day as they came on.

MR. T. DUNCOMBE said, of the Poor Removal Bill, that it had been originally settled, as he thought, to proceed with it, *pari passu* with the Corn Importation Bill. Now, however, it seemed that the Poor Removal Bill was to be postponed indefinitely, as well as the Highway Bill and other Bills connected with it. The House was to be called upon to waste week after week on the Irish Coercion Bill; and in the meantime what was to become of the Poor Removal Bill? He trusted that in a short time the other House would have passed the Corn Bill; but, as he had apprehended early in the Session, the Poor Removal Bill would be left to shift for itself. There was another Bill of which the right hon. Baronet had said nothing, and regarding which he (Mr. T. Duncombe) must ask for some information from the Secretary at War. He alluded to the Bill for the enrolment of the militia. He had mentioned it long before Easter, and had been informed, that it would be brought in before Easter; but now Whitsuntide had arrived, and it had not been heard of. He had all along feared that it would not be introduced till it was too late to consider its clauses. It had not been even seen yet, though the least that could have been expected was, that it would have been upon the Table before Whitsuntide, and a good deal of interest was felt about it by the public. As to the Poor Removal Bill, he must say that the right hon. Baronet would not be using the House quite fairly if he did not enable it properly to discuss, and afterwards to pass the measure.

SIR R. PEEL admitted frankly that he had justified some expectation that the Poor Removal Bill would be brought on on an early day; but he hoped the House would make allowances for the difficulty of the position of Government. He and his Colleagues were ready to devote sixteen or eighteen hours a day to their public duties in the House; still they had hitherto only had two days in the week for Government business. So anxious was he to fulfil every expectation he had raised, that he was ready to take the Poor Removal Bill on

Friday next, instead of the Votes in Supply. He believed that there was still money enough in the Treasury to go on with the public service; but he considered Ministers bound to press forward the Irish Bill.

Sir J. GRAHAM said, that the hon. Member for Malton (Mr. E. Denison) had given notice of an instruction to the Committee on the Poor Removal Bill, and if it were carried, it would be indispensable to alter the whole framework of the measure. It must be recommitted *pro formâ*, in order that it might be remodelled. He apprehended, however, that one night would be sufficient for the discussion.

Mr. HUME expressed a strong desire that the Poor Removal Bill should have precedence, as he knew that great anxiety was felt upon the subject in agricultural districts. He recommended that the Irish Coercion Bill should be postponed to other business, with a view to save time. If the right hon. Baronet intended to stop all the useful business of the country for the sake of that measure, he would find himself involved in new difficulties. He stated not only his own opinion, but that of almost everybody out of the House. There was hardly one person who did not express a hope that Government would not interfere with the progress of the Poor Removal Bill.

Mr. BANKES said, the right hon. Gentleman would recollect that it was distinctly understood that an opportunity should be given of discussing the principle of the Poor Removal Bill. That could not be done if the debate were confined to the Motion of the hon. Member for Maldon; and he trusted that, in assenting to the course proposed by the Government, he should be understood as doing so in the anticipation of having an opportunity for fully discussing the general principle of the measure.

Motion for the Adjournment agreed to.

TREATY BETWEEN RUSSIA AND TURKEY.

Dr. BOWRING wished to know from the right hon. Baronet the First Minister of the Crown, whether any Treaty had been signed between the Russian Government and the Ottoman Porte, equalizing the duties paid by foreign nations under the existing capitulation, and removing the disadvantages under which British subjects have laboured?

Sir R. PEEL: The best possible answer I can give to the hon. Gentleman is to say, that though we have not received official intimation of the actual signing of the Treaty, we are yet in possession of such information as to render it exceedingly probable that a Treaty has been signed; and I think I am justified in expressing a hope that it has been signed. In a letter dated 30th April, Sir Stratford Canning says that Redschid Pasha was going to the Russian Minister, who had authority from his Government to sign the Treaty.

THE OREGON QUESTION.

Mr. HUME said, it was known to the public, through the newspapers, that the President of the United States had received directions to give notice to this country that the regulations which now existed for the joint occupancy of the Oregon territory should terminate within a year. He wished to know from the right hon. Baronet, the head of the Government, whether the American President had given notice to this country of the intended termination of the existing convention respecting this territory?

Sir R. PEEL: In answer to the question of the hon. Gentleman, I beg to state that the American President has given notice to this country that the termination of the existing convention should take place at the end of the year. In giving that notice, however, he has adopted the terms which were ultimately assented to by both Houses of the Legislature of the United States, viz., that the Notice shall be given with the view of leading to an amicable adjustment of all the differences and disputes in respect to this territory.

RETIRING ALLOWANCES TO NAVAL OFFICERS.

Sir C. NAPIER begged to observe, that more than twelve months ago, a proposal had been circulated by the Board of Admiralty to the effect, that a retiring allowance would be given to those naval officers who thought proper to send in their resignations. A number of officers, in accordance with this proposal, had sent in their resignations, but had as yet received no intimation whether they had been accepted. He wished the Government would urge upon the Admiralty the propriety of stating what were their intentions relative to these applications, or, if they were not to be acceded to, to return the letters of the applicants, that they might not stand in judgment against them.

SIR R. PEEL: My impression was, that the Admiralty made a certain proposal with this reserve, that unless a certain number of officers accepted that proposal, the Admiralty had the entire power to set it aside. The number required not having accepted the proposal, it has accordingly fallen. My impression was, that the Admiralty had publicly notified that it was not to take effect, and that they had under their consideration some other plan.

COMMERCIAL POLICY—CANADA.

LORD G. BENTINCK rose to put a question to the First Minister of the Crown, which might appear at first sight to impugn the fair dealing, frankness, and truth-telling of a Member of Her Majesty's Government; but he had reason to think, from the explanation he had already received, that no such imputation could rest upon the Earl of Dalhousie, to whom his question referred. It was probably within the knowledge of every Gentleman in that House, that a statement had been made last night by the Earl of Dalhousie, that the Canadian Colonies were perfectly satisfied with the commercial policy of Her Majesty's Government, and that, so far from entertaining any feeling of apprehension and alarm, all that the Canadians asked was, that the nominal duty of one shilling, which was proposed to be retained on Canadian and other wheat, should be reduced to a penny. That was the statement which they had all probably seen imputed to the Earl of Dalhousie; and he (Lord G. Bentinck) might state, that he had heard it with his own ears. Now, the question which he had to ask of Her Majesty's Minister, was this—whether or not the Canadian mail had not arrived, bringing an Address to Her Majesty, which had been unanimously voted by the Legislative Assembly of Canada, of which the first paragraph ran in terms something like this:—

"That this House views with most serious apprehension and alarm, and as detrimental to the future peace and prosperity of these Colonies, the adoption of the proposed principles of commercial intercourse now under the consideration of the Imperial Parliament?"

That such an Address had been unanimously voted, he had the best reason for knowing, inasmuch—["Question!"] Well, the question he had to put was this, whether, when this statement was made by a Cabinet Minister of the Crown, he was in possession of the information to which he had just referred?

SIR R. PEEL: I have great pleasure in giving the noble Lord all the information I possess upon the subject on which he has just put the question. I had yesterday made an appointment with the Secretary for the Colonies, to meet him at half-past one o'clock this day; and when my right hon. Friend attended that meeting, he brought with him a letter from Lord Cathcart, containing an Address to the Crown—I know not whether unanimously adopted or not—but of the general purport to which the noble Lord has referred, namely, expressing apprehension at the consequences of the adoption of the commercial measures of Her Majesty's Government. I certainly understood my right hon. Friend to say, that this despatch had reached him in the course of the morning; but for myself I must say that, at any rate, I had no knowledge of its arrival till two o'clock to-day. When the noble Lord was good enough to state to me that he would put the question, I told him that I thought it probable the Earl of Dalhousie had no earlier knowledge of the purport of the despatch than I had; but since then I have received an assurance that my noble Friend was entirely unaware of the receipt of this despatch at the period when he spoke last night. It must be obvious that when despatches arrive, especially at a late hour, it is quite impossible that their contents can be simultaneously communicated to the Members of the Government, however important they may be. If there is not to be a meeting of the Cabinet on the day of their arrival, they are put into circulation among the Members of Government, and some time must necessarily elapse before they all receive information of them.

THE POOR LAW.

MR. CHRISTIE asked whether the Poor Law Commissioners had made any inquiry into the circumstances of the case formerly referred to at Barrow-on-Soar, and whether any steps had been taken in consequence of the inquiry?

SIR J. GRAHAM replied, that the Poor Law Commissioners had instituted an inquiry into the circumstances of the case referred to, and had received a report from an Assistant Poor Law Commissioner on the subject. In accordance with the suggestions contained in that report, the Comsioners had determined, if the master of the workhouse did not tender his resignation, to order his immediate dismissal.

POTATOES FROM YORKSHIRE.

On the Order of the Day having been read,

Mr. LAWSON said, his statement on a former evening as to the rejection of Yorkshire potatoes from the London market was received with incredulity, if not derision. Since that time he had had an opportunity of investigating the particulars which he gave, and he then rose for the purpose of confirming by name every one of the assertions which he then made. Having mentioned to the noble Member for Lynn that he should make some statement as to the supply of potatoes to the London market, his noble Friend, with that kindness which always distinguished him, said, "Here is a letter from Yorkshire which you had better take charge of." The noble Lord did not know the writer. He (Mr. Lawson) did; and as he knew him to be a respectable man, and that he would not assert anything which was not true, he took on him to confirm his assertions. He was asked to give the name of the individual, but he refused to do more than pledge himself to the accuracy of his statement. He was now happy to be enabled to inform the House that the writer was one of the greatest potato growers in England, and well known, as he found on inquiry, to the salesmen in Tooley-street. His name was Robert Scholefield, of Sand Hill, near Howden, and he grew from 1,300 to 1,500 tons of potatoes annually. One of the organs of public opinion had animadverted on his statement; but he had previously written for a confirmation of the assertions made in the letter to his noble Friend. The answer which he received was most satisfactory. The name of the person who sent the cargo of potatoes to London was Mr. Meggit, of Howden. He did not see why the potatoes of a tradesman of Howden were not as likely to be as good as if sent by anybody else. They were landed at Cotton's-wharf, and consigned to Mr. Liddell. He had taken the trouble to go down and have an interview with the persons interested, and had at that moment the bill of sale in his hands. The potatoes were shipped from Hull on the 17th March, were sent back from London on the 14th April, and arrived in Hull on the 24th April; and he had the bill of prices for which they had been sold at Leeds. Some of those potatoes had been sold for 46*s.*, and some for 50*s.* The name of the vessel was the *Vigilant*, and her master's name was Shaw. As to the general price of potatoes, he could assure the House that a salesman had informed him that except in years of abundance it was never so low as 50*s.* The hon. Member proceeded to read extracts from correspondence he had received on the subject, in support of his statements, and concluded by quoting the expression made use of by a gentleman who had written to him on the subject, declaring his surprise that the sagacity of Alderman Humphery had not taught him, if those potatoes had been rotten, as he said, that they would have been thrown overboard.

Alderman HUMPHERY congratulated himself on the opportunity he had given the hon. Member to make an explanation, which he believed the House would think was something like the produce of the mountain in labour. Instead of being satisfied by the statement of the hon. Member, he impugned it again. The potatoes were not landed at all. The facts of the case were, that a gentleman named Meggitt or Maggot, who combined a number of trades in his person, thought that there would be a scarcity of potatoes, and therefore went to a potato grower and bought fifty tons at 88*s.* a ton. They were shipped for London, with four other rooms of potatoes, and were stowed away under the forecastle of the brig *Vigilant*. When the vessel arrived in London, a gentleman who had a cargo of the same description of potatoes on board, sold them for 95*s.* and 5*l.* a ton. A Mr. Good, who also had potatoes on board, had the vessel run down to a wharf, where he kept her for a few weeks before he sold them. Mr. Little sold some of them for 80*s.* and 95*s.* a ton, and would have sold them all at 3*l.* a ton, but that Mr. Meggitt thought they would sell better at Leeds than at London, and was persuaded accordingly to take the bulk to Leeds, where they were sold, it is said, to the poor at 1*s.* and 1*s.* 6*d.* a bushel. Now these were the circumstances under which Mr. Scholefield thought proper to say that a scarcity of potatoes did not exist. But he could prove that there had been a great falling-off in potatoes this year. The fact was, that between this year and the year preceding there had been a difference in the importations to London of 40,000 tons. Taking the quantity at 90,240,000 lbs. of potatoes, and the population at 2,000,000, it would appear that the people had been deprived of about seven weeks' consumption of this

article. At present the best potatoes were 9*l.* per ton. One gentleman of York had stored up about 7,000 tons of potatoes, for which he could have got from 6*l.* to 7*l.* a ton; but as he wanted 9*l.*, and as potatoes will not keep beyond a certain time, he stored them up till 4,000 tons were rendered entirely useless. He had been very properly punished; and he hoped the gentleman would be punished in the same way whenever he acted in a similar manner. It was a fact that no less than 5,000 tons of potatoes had been thrown overboard in the Thames last year, as being unfit for human food, in consequence of damage in shipment and in the voyage. He thought the statements which had been made were intended to deceive the public as to the scarcity of potatoes; but no one could deny that the price of the article had risen from 50*s.* to 6*l.*, 7*l.*, and 9*l.* a ton, and the poor would not have been able to bear up against the increase but for the abundance of employment which existed in London.

MR. HUDSON thought that the statement made by the hon. Member as to the falling-off in the quantity of potatoes imported into London by the river, might be explained by the circumstance that much of the country produce was now conveyed by railroad.

WAYS AND MEANS—THE BUDGET.

House in Committee of Ways and Means.

The CHANCELLOR OF THE EXCHEQUER spoke as follows: Sir, I avail myself of this the last opportunity, previous to the separation of the House for the holidays, for the purpose of bringing before them that annual statement of the finances of the country which is expected from the individual who holds the situation which I have the honour to fill. I am afraid the statement I have to make will have but little attraction, except from the general bearing of the subject with which it has to deal on the welfare of the country. I am not able to embellish it with anything novel, since the House has already, in previous discussions, been made acquainted with the details of those parts of the subject which are of most interest to the community. The House has already been informed by my right hon. Friend the First Lord of the Treasury, of the reductions then intended to be made in the different duties of Customs. Those reductions have been embodied in an Act which has already passed this House, and which now only waits the sanction of the other branch of the Legislature in order to be carried into full operation. It is unnecesary for me also to enter into detail as to the expenditure of the country, because the House has before it, in the Estimates already on the Table, the full extent of the augmentations which the Government has thought it necessary to submit for adoption in the different establishments. Nothing, therefore, remains for me but to bring into one general view the details already before the House as to the revenue and expenditure; and to show, from the results, how successful have been those measures which the Government, in former Sessions, recommended for the adoption of Parliament, to which Parliament have given their sanction; and on the continued operation and progressive influence of which I believe the financial prosperity of this country will mainly be found to depend. I am not sorry to have this opportunity of dispelling some of those gloomy apprehensions which have been expressed by several hon. Friends of mine in this House, as to the effect which the recent commercial changes might produce on the revenue of the country. Statements equally alarming have been circulated out of this House by those who profess to lead public opinion; by some, from ignorance; by others, I am afraid, from a less pardonable motive; but from whatever cause proceeding, I think it not unimportant that they should be corrected, and that any false statements which may have been made should be contradicted. I shall proceed to lay before the House, in the usual order, first, what have been the actual receipt and expenditure during the past year; and I shall found upon that statement a calculation of what may be the probable receipt and expenditure of the year on which we are already entered. The first point to which I shall draw the attention of the House relates to the calculations made by my right hon. Friend (Sir R. Peel), when he opened this subject in the last Session of Parliament; and the results as compared with the estimates then formed. It will be recollected by those who are accustomed to pay attention to such subjects, that my right hon. Friend, after proposing great reductions in the Customs, stated his belief that the total revenue which would be received in the course of the year would amount to 49,762,000*l.* Of this revenue it was estimated that from Cus-

toms would be derived 19,582,000*l.*; from Excise, 12,580,000*l.*; from Stamps, 7,100,000*l.*; from Assessed Taxes, 4,200,000*l.*; from the Property Tax, 5,200,000*l.*; from the Post Office, 700,000*l.*; from Crown Lands, 150,000*l.*; and from Miscellaneous, 250,000*l.*; making a total, as I have already stated, of 49,762,000*l.* Those hon. Gentlemen who have looked at the balance-sheet laid a short time ago on the Table of the House will find that the Revenue for the year, independently of a sum received under the Treaty with China, instead of merely coming up to the estimate of 49,762,000*l.*, amounted to not less than 51,250,000*l.* Comparing the estimated with the actual produce, (I give the round numbers,) the Customs' estimated at 19,582,000*l.*, actually produced 19,768,000*l.*; the Excise, estimated at 12,580,000*l.*, produced 13,296,000*l.*; the Stamps, estimated at 7,100,000*l.*, produced 7,660,000*l.*—an increase, perhaps, indicating more than any other, the great extent of commercial transactions in the course of the year, and the multiplication of all those dealings throughout the country, which are the great contributors to that particular branch of the Revenue. The taxes attained as near as possible the amount at which they were estimated; namely, 4,200,000*l.* The Property Tax fell to some extent; the produce having been 5,084,741*l.* instead of 5,200,000*l.*, at which it had been estimated; but this did not arise from any falling off of income, but mainly from the circumstance that repayments, which had been postponed, were then made to a larger amount than belonged to the particular year; persons entitled to a return of the tax, which in the first instance they were required to pay, having now acquired a knowledge of the forms, and coming immediately for payment after the receipt of the notices. The Crown lands and Miscellaneous attained nearly to the amount of the estimate made by my right hon. Friend. The Post Office, which was estimated at 700,000*l.*, produced no less than 791,000*l.*, indicating, equally with the Stamps, the great activity of trade during that particular period. The result, on the whole, has been that, taking, in addition to that receipt of ordinary revenue, the sum received under the Treaty with China, being 750,859*l.*, the total receipt during the past year, which was estimated at 49,762,000*l.*, has been 52,009,324*l.* I think the House will agree with me that the anticipations of my right hon. Friend in the last Session of Parliament have been fully realized. We next come to what has been the expenditure during the year. The estimate which was made as to the charge on account of the National Debt, and other charges on the Consolidated Fund, amounted to 30,795,858*l.*; the actual expenditure has been 30,607,661*l.* This diminution of charge has arisen from various causes, from some modifications in reference to the charge of the debt and certain small reductions of the permanent charges imposed upon the Consolidated Fund. The Expenditure on the services for the year, Army, Navy, Ordnance, and Miscellaneous, amounted within 60,000*l.* to the estimate of the right hon. Gentleman—the estimate being 18,736,591*l.*, and the actual expenditure 18,792,506*l.* The result as regards the whole Receipt and Expenditure for the Year was, that while the actual Receipt amounted to 52,009,324*l.*, the actual Expenditure amounted to 49,400,167*l.*, leaving a surplus of 2,609,157*l.*; from which is to be deducted an item which appears in the public accounts sometimes on the side of Expenditure, and sometimes on the side of Receipt. This year it has fallen upon the side of Expenditure. The payment to which I allude is that for the Unclaimed Dividends, of which the amount paid has been more than the sum received by 228,557*l.* This sum of 228,557*l.* must, therefore, be deducted from the surplus, already stated, of 2,609,157*l.*, leaving a clear surplus of 2,380,600*l.* It will be recollected that my right hon. Friend, when he made his statement last year, anxious not to create too sanguine an expectation as to the effects of the measures he then proposed, stated the expected surplus at a very moderate amount. It may also be in their recollection, that at that time apprehensions of a very serious nature were entertained as to whether the reductions of revenue then made were such as would tend, by encouraging increased consumption, to repair the loss. I do think, that to those who expressed such apprehensions, the statement I have now made must be a satisfactory answer. It must give them additional proof—if proof is wanted—of the elasticity of the resources of this country. It must give proof that if, in the proper direction, you remove any weight which presses

down the public energies, you will sooner or later find a satisfactory result, not only in an augmentation of revenue, but in increased comfort and happiness among the great body of the people. The course taken with respect to the finances of the present year is in strict accordance with that which was adopted with respect to the preceding year; and I have now to state to the House my calculations with regard to future revenue and expenditure, with this additional advantage, that I am able more confidently to anticipate the future, from the observation and the knowledge of the past. Now, in making an estimate of the revenue of the year, the first point to which attention is necessarily directed is, the Customs' revenue of the country. The Customs produced in the last year, as I have already stated, a sum of 19,768,000*l.* By the measures which have been in this Session passed through the House, a reduction of duties has taken place to the amount of 1,041,000*l.* But no hon. Gentleman who either considers what is past, or is even aware of the ordinary principles of finance, would suppose that the revenue of the succeeding year is to be calculated by deducting from the revenue of the last year the amount of the duties which it is proposed to subtract; under any circumstances, a large reduction of that amount would have to be made, on account of increased consumption of those articles upon which the duty has been merely reduced, and increased consumption of other articles which remain subject to taxation in consequence of the total abolition of duty upon a great variety of articles. In calculating, therefore, the reduction that should be made from the last year's revenue on account of the abolition of duties during the present year, I must be guided in some degree by the experience of the past; and I find, upon reference to the reductions which have been previously made, that if I were to take the loss of revenue on the Customs at two-fifths of the amount of the duty which is repealed, I should exceed that which has been found to be the loss upon the periods during which we have for some time past been acting in the same direction upon the Customs' revenue. I should, therefore, not feel authorized in deducting from the revenue of the Customs a greater sum than 400,000*l.* on account of the reductions which have been effected. That would leave the Customs' revenue at about 19,300,000*l.* But I take it at a greater amount than that; and I will state to the House the ground of my doing so. I find, on reference to the most experienced observers of the course of trade, that there is every anticipation of the continuance, during the rest of the year that has begun, of the prosperity with which trade has been attended, with some slight interruption, up to the present period. I receive from every one of the outports the most satisfactory statements as to the prospects of the revenue for the ensuing year. I am called upon by all the different officers of those ports, confirmed by the authority of those who superintend the business in London, not to confine my augmentation of duty to the 200,000*l.* which I propose in addition to what I have already stated, but to carry it to a much greater extent; but I am always anxious to be on the safe side in these cases, and I limit my calculations to such a sum as shall raise the Customs' revenue to 19,500,000*l.* What is the report that I receive from those different ports? Is it that the revenue is falling off, or has already fallen off, in consequence of the operation of these reductions, during the period that has intervened since they were made? On the contrary, I find in some of the leading ports of this country, that during the last six weeks—weeks, be it observed, of considerable uncertainty, which is dwelt upon by those who make these reports as creating great hesitation among those engaged in commerce—so far from a diminution of revenue during those six weeks, that is, from the commencement of the financial year up to the present time, there has been in many of those ports an excess, in many an equality of revenue, and in those in which there has been a deficiency it is principally accounted for by the state in which the corn trade has been; and these accounts are coupled with a general expectation that the revenue is on the advance, and will continue to increase. I mention the last six weeks, particularly, as justifying me in my view of augmentation of revenue, because the House is aware that the duties have been repealed during those six weeks; they were suspended by an Order from the Treasury, upon the Resolution passing this House; and yet, notwithstanding this circumstance, I find that, at Liverpool, at Newcastle, at Leeds, at Port Glasgow, and at Dublin, places in all parts of the United Kingdom,

and places of most considerable import, there has been no falling off in the revenue during those six weeks, as compared with the corresponding six weeks of the preceding year; and that there is an expectation, that when the present discussions in Parliament shall have terminated, the revenue will take a spring even beyond what it has taken since the commencement of the year. It is on these grounds that I consider myself justified, notwithstanding the large reductions of duties to which the House has already assented, in taking the Customs' revenue for the present year at 19,500,000*l.*, instead of 19,300,000*l.*, the sum at which it would have been taken if I had, under ordinary circumstances, made a reduction on account of the taxes remitted. The next important branch of revenue is that of the Excise. In that department, it must be remembered that there was, in the past year, a very large abolition of duties, amounting to about 1,000,000*l.*; and under the head of the duties so abolished, of course, all that the Government before received was lost. But, when those alterations were proposed, it was stated to the House that they were of a nature calculated to give new vigour to industry, to call into life new establishments, to create new employment, and to give to the persons so employed the means of augmenting the other branches of revenue derived from the Excise. It was in consequence of the operation of these causes that the Excise, during the last year, fell only 200,000*l.* below what it would have been if the glass and auction duties had been continued. With respect, therefore, to the future produce of the Excise, I entertain the most sanguine expectation, founded not only upon a calculation made from reference to the past, but because, in this particular department, we have in some degree the means of knowing beforehand what will be the actual receipts for some weeks to come, (since the duties are charged a considerable time before they are actually paid,) I feel that I may take the Excise for the ensuing year at 13,400,000*l.*, being 100,000*l.* more than it produced in the year that has lately closed. With respect to the Stamps, from which 7,660,000*l.* was received last year, I content myself with taking them for the present year at 7,450,000*l.* Much of the augmentation of duty in that department arose, no doubt, from the multitude of railway companies, which have been so much the subject of discussion in this House; and, as I cannot anticipate that the same extent of railway speculation will prevail during the ensuing year, after the experience which we have had in the past, I think it prudent to deduct from the produce of the Stamps what may fairly be attributed directly to an eagerness for embarking in railways; I therefore deduct 260,000*l.* With respect to the taxes that remain, I estimate the Land and Assessed Taxes at the amount they have heretofore produced — 4,230,000*l.* With respect to the Property Tax, I have taken it very nearly at what it produced last year, 5,100,000*l.*—the assessments under the new Property Tax Act, passed last year, have not yet been received; and I therefore make the estimate without those particular data which would have enabled me to state the amount with nearly perfect accuracy; but I have no reason to apprehend, judging from the general prosperity of the country, that it will fall short of what it was last year. With respect to the Post Office, in which there has been during the last year a very large increase of revenue, it is to be remarked that its progress has not been confined to that year, but has been for some time proceeding gradually — the revenue was in 1842, 610,000*l.*; 1843, 628,000*l.*; 1844, 699,000*l.*; 1845, 791,000*l.* I do not take the same amount of increase for the year on which we have now entered as has taken place in the year whose account has been closed; and for this reason — not because I anticipate otherwise than that this revenue, as additional facilities are given, will continue to present a large annual increase in this the mere account of the receipt; but there are certain improvements which I contemplate in the administration of the Post Office in London which may throw additional expense in the first year upon the public revenue, but which nevertheless will, in my opinion, contribute both to the efficiency and the general character of the department. I am anxious, therefore, to leave a margin for the conduct of these operations, rather than take exactly what, if no alteration or improvement was intended, I should have been inclined to estimate as the next annual augmentation of revenue in the Post Office. I therefore content myself with stating the total sum at 850,000*l.*; being 60,000*l.* over that

which was received in the course of the last year. With respect to the Crown lands, the revenue to be derived from that quarter will be reduced in the present year, in consequence of certain buildings in course of erection for public purposes, principally the Geological Museum, upon which it is intended to expend a sum of money out of that revenue, which will reduce the receipt to about 120,000*l.* The Miscellaneous items I will take at nearly the amount of last year, 300,000*l.* The general result of these several sums, constituting the revenue which I anticipate as likely to be received in the year ending April 5, 1847, is 50,950,000*l.*; to which will be added in the present year (as there was in the antecedent year) a further sum as likely to accrue under the Treaty with China; and this I have taken at 700,000*l.*, being rather under the amount produced last year; 500,000*l.* of it has been already received. The total result, therefore, including those extraordinary resources to which I have last alluded, gives the amount of the year's revenue at 51,650,000*l.* Now, if from this revenue I deducted the charges upon the country during the year that is past, which, as I have already stated, amounted to 49,400,000*l.*, it is obvious that there would be disposable at the end of the year a surplus of no less than 2,250,000*l.*, —a surplus nearly equal to that which has accrued at the close of the past year, notwithstanding the large reductions of revenue which have taken place during the course of the year. But Her Majesty's Government, having this prospect of surplus before them, thought it their duty to provide for such additions to the several establishments of the country as the present circumstances of the country appeared to them to justify. We have felt called upon to make certain additions to the military force of the country, and to revise the militia system, which will entail some additional expense. We have been further desirous, in consequence of the application of a new power, that of steam, to naval warfare, to increase the expenditure of last year, in order to put the naval department in a state befitting the dignity of the country, and on a footing with the exertions made by other Powers. So with respect to the armament of the navy, and with respect to fortifications generally, we are called upon to conform to the practice of other nations, by having guns of larger calibre and heavier metal. The system adopted by other nations has entailed upon this country, I may almost say, an entirely new armament in different branches of the service; and we did not feel that we could turn to better profit a time of considerable commercial prosperity, or make a better use of the surplus revenue, than by improving our naval and military establishments to the extent shown by the Paper laid on the Table of the House. We have thus absorbed a very considerable proportion of the surplus which remains to be disposed of. The actual addition to the estimates of the year will be best shown when I come to state *seriatim* the different branches of expenditure which will have to be defrayed out of the amount of revenue I have stated. With respect to the charge for the interest of the debt, which was 28,200,000*l.* last year, it will be reduced to 28,100,000*l.* this year; the charges on the Consolidated Fund last year, 2,400,000*l.*, will be increased this year, and amount to 2,550,000*l.*, that increase arising from measures which Parliament has already sanctioned, for advancing from the Consolidated Fund certain sums for public works in Ireland, and for the relief of the inhabitants of districts suffering under scarcity. The total amount of these two charges, which may be called the permanent charge on the country, is 30,675,000*l.*, amounting to nearly the same sum as last year. With respect to the Army, the charge for which in the last year was 6,715,000*l.* (that being the expenditure—the estimate was considerably less), I propose as the estimate for the present year 6,697,000*l.*, being an increase of above 140,000*l.* upon the estimate of the preceding year; arising, as I have stated, from the augmentation which it has been necessary to make in the general force of the army, and the proposals which are about to be made to the House with respect to the militia. It is unnecessary for me now to enter into the details. My right hon. Friend the Secretary at War will fully develop them when the time comes for his statement to be made to the House, and I prefer leaving the task in the hands of one who is so much better able to execute it. With regard to the Navy, the estimate last year was 6,943,720*l.*; in the present year it is proposed to allot to that service 7,521,000*l.*, an increase of nearly 600,000*l.* in that branch of the public service. That, as I have said, arises from the causes I have briefly stated to the House, the full deve-

lopment of which will rest in the hands of my right hon. Friend the Secretary to the Admiralty, and will, I am sure, be satisfactorily furnished by him. With respect to the Ordnance, the estimate last year was 2,142,000*l.*; for the present year it will be 2,543,000*l.*—an increase in this branch of the service to the extent of 400,000*l.* This arises first from an augmentation in the corps of Artillery, corresponding to that in the land forces, and secondly from an augmentation of that distinguished corps, the corps of Engineers, whose services, not less distinguished in peace than in war, are now called for in every quarter, for civil employment as well as military; and whose engagement in the public service, though occasioning an increase upon the Ordnance estimates, is, I am firmly convinced, a real economy. On the same principle, in the Ordnance estimates will be found an increase in the corps of Sappers and Miners—individuals working under the engineers, and reducing the expenditure of the public works on which they are engaged; this, like the former charge, though apparently an increase on the estimates, will be found, in fact, an economical arrangement. The other portion of the expenditure arises from the repair of certain works which have been for some time more or less neglected, and which at length it was judged advisable, the revenue admitting of it, to repair. The improvement of various fortifications, — the adding to the comfort of the troops, by furnishing them with better barracks, upon which points the details are upon the Table. With respect to the Miscellaneous Estimates, which stood at 3,116,000*l.* last year, the sum this year will be 3,435,000*l.*; it appears in the Paper on the Table 3,235,000*l.*; but I have thought it better to take an additional sum of 200,000*l.*, conceiving that I shall hereafter have to submit to the House an account of sums which may have been expended in Ireland for the relief of the suffering population, and thinking a margin of that kind necessary to meet that particular expense; the amount of it, of course, is a mere matter of estimate at present; but I have thought it right to take what I believe will be sufficient for the object. The Miscellaneous Estimates are also aggravated by the additional charge announced in the speech of the right hon. Baronet at the commencement of the Session, the expense of auditors, medical attendance, schoolmasters of the Poor Law Unions, the maintenance of prisoners, and the charge of prosecutions in the country;—these, however, are all comprised in the statement I have made to the House. The Expenditure, therefore, for the service of the year amounts to 20,198,000*l.*, which, added to the charge for the debt, 30,675,000*l.*, makes the whole amount to 50,873,000*l.*; and this deducted from the total receipt, 51,650,000*l.*, leaves a surplus for the end of the year of 776,000*l.*; but of that sum 700,000*l.* are derived from the money acquired by the Treaty with China. With a very limited surplus independent of the China money we entered upon the year that is past, as we enter upon the present; but I venture with even increased confidence this year to predict that the estimates will be more than borne out by the result, and that the House will, at a future period, have the satisfaction of more than realizing the prospects which are now before it. It is impossible, I think, unless it can be shown to me that there is some great error in the calculations I have made, not to derive satisfaction from the result which these statements establish—not to feel how much is owing to that course which Parliament has of late years thought proper to adopt in respect to the abolition of prohibitory and the relaxation of protective duties, as a means of giving to industry increased energy, and securing to the people at once the means of employment, and of acquiring the comforts and necessaries of life. But in speaking of the past year and of the prospect of the year to come, as a period of no inconsiderable prosperity, I may be told that one single year affords no just criterion with respect to the merits of a financial system; that there may arise fortuitous circumstances and accidental advantages in particular years which may produce a satisfactory result, without affording evidence that it is to the particular system adopted that those results are to be attributed. I admit the force of such an objection, and I admit that, if I argued on one year alone, I should not have a right to claim for the particular course adopted by the Government and by Parliament that degree of merit which, on a consideration of all the circumstances, I think attaches to it, or to ascribe to its operation the favourable picture which I am enabled to present to the House. It is just, therefore, to the House, in order that they may form a correct opinion on the subject; that I should not confine my observations merely to what occurred in

the past year, but that I should take a review of antecedent years, in which the same system was in operation; and from the result of consecutive years form a more comprehensive and consequently a more accurate conclusion. It will be recollected by the House that the system on which I say that the present financial prosperity of the country is founded originated in the year 1842, soon after the present Government accepted office; and I beg the House to go along with me in considering what has been the continued progress and effect of the measures adopted by the Government and Parliament since that date, and how far they have conduced to that successful result on which I may now fairly congratulate the House and the country. Every one will recollect the difficulties of the country at the period when the present Government entered office. I am not now about to draw any contrast between one particular Administration and another, or to claim any merit for the party with which I am connected, contradistinguished from the party to which I am opposed. I am simply dealing with facts, and to them alone I propose to call the attention of the House, as necessary illustrations of the principles which I desire to establish. What then was the situation of the country when the present Government entered office? For some years there had been a deficiency in the revenue, and that deficiency had increased in the particular year when the present Government accepted office to a very large amount indeed. Attempts had been made by increased taxation to overcome that deficiency, but it was found that the augmentation of Customs and Excise duties was abortive for the purpose of any material increase of the revenue. The first duty of the present Government, then, was to get rid of the then existing deficiency as rapidly as possible, and it was indispensably necessary, for that object, to subject the country to a great additional burden of taxation, and thus at once relieve the country from that incubus of increasing debt which must, if continued, break down the financial prosperity of this country. Feeling then, as we feel now, that the great check to national prosperity was to be traced to those particular burdens which pressed more especially on the poorer classes of the community, which affected the industry of the people, checked employment, and prevented the extension of trade and manufactures—we combined, with a large imposition of direct taxation, a very large reduction of existing burdens; we removed from the Customs all prohibitory duties, we reduced all protective duties within more moderate limits; and we relied for the restoration of the revenue upon what actually occurred — that the stimulus thus given to the industry of the country would itself prove a source of wealth. In 1842, it was proposed to reduce the duty on 583 articles subject to Customs duty; and, with some few exceptions, to remove all export duties. In 1843, pursuing the same system of reduction, we further reduced the duties on seven articles. In 1844 we reduced the duties on four articles, and in 1845 on 21 articles; and on 444 articles the duties of Customs were altogether repealed. In 1846, the Customs' duties have been reduced on 112 articles, and entirely repealed on 54. Thus, during the period I have mentioned, there has been a reduction of duty on 727 articles, and a repeal of duty on 503; being, for the most part, articles which concern the food, the clothing, and the comfort of the people, or which, in consequence of their being required in the manufactures of this country, are necessary for the advancement of those manufactures, and for the employment of the people. Let us now consider the effect of these measures on the revenue. We have had four years of experience; we have acted on the same principle, gradually, cautiously, but progressively diminishing those particular duties which pressed materially on the industry or comfort of the people; and what has been the result? How shall we test the effect of this system on the national prosperity? What shall we take as an indication of the general prosperity of the country as produced by the operation of these measures for the relief of the people? Let us compare the state of the country on the 5th January, 1846, with what it was on the 5th January, 1842. Let us look, in the first place, at what were the available means which the country had at its disposal at the one period as compared with the other. Let us deal with the country as we would with an individual. We consider that individual well off who has a balance at his banker's sufficient to meet the ordinary demands upon him; and we regard that person as poor who has not, in like manner, the means of meeting those demands. Let us, then, as a first test of the effect of the measures

proposed by the Government, and adopted by Parliament, see what was the balance in the Exchequer at one period, and compare it with the balance in the Exchequer at the corresponding period in the latter year. On the 5th of January, 1842, the balance in the Exchequer was 3,650,000*l.*; and on the 5th of January, 1846, the balance was 8,450,000*l.* If then you deduct from the latter balance of 1846 the balance of 1842, there is exhibited an increase of the available means which the Government has at its disposal in 1846 to the amount of 4,798,000*l.* So far, then, as regards this particular test of national prosperity the measures appear to have been successful. The next point to which I shall advert is the state of the debt of the country at the periods to which I have alluded. If we find the country accumulating annually an amount of debt, however small the addition may be, we shall hardly look upon that circumstance as an indication of national prosperity, although it might be countervailed by other advantages; but if, on the other hand, we find, concurrently with other advantages, that the debt of the country has been reduced, we may regard that as conclusive evidence in favour of that system of finance which has led to so satisfactory a conclusion. The debt of this country consists of two great parts, the funded and the unfunded; and they must necessarily be taken together; because, a decrease may sometimes be effected in the one by measures which may cause a corresponding increase in the other. On the 5th of January, 1842, the capital of the funded debt was 772,530,000*l.* The Exchequer Bills outstanding amounted to 19,678,000*l.* The total debt, funded and unfunded, amounted to 792,208,000*l.* What was the state of the debt in January, 1846? The amount of the funded debt was 766,672,000*l.*, and of the unfunded 18,442,000*l.* making a total of 785,115,000*l.* in 1846, as contrasted with the total of 792,208,000*l.* in 1842; showing a reduction in 1846 of about 7,094,000*l.* But there is another species of debt which this country has to discharge, viz., the debt which we speak of generally under the name of Deficiency Bills. That is a debt incurred to a greater or less extent on the recurrence of every quarter. Deficiency Bills are, in fact, the securities given to the Bank of England for the sums advanced by them in order to make the amount then in the Exchequer adequate to the payment of the sums due on the quarter day; but it would not be fair to take the amount of deficiency bills in any particular quarter in 1842, and compare it with the amount in any particular quarter in 1846. That would afford altogether an erroneous representation of the case, for in consequence of the equalization of the quarterly payments on account of the national debt which was effected in 1844, it follows, of course, that under any circumstances great difference would exist in the amount required in the particular quarters of the two years. But I will take what is a fair comparison, the average of the deficiency bills issued in the four quarters of 1842, and compare it with the average of the four quarters in 1846. And how stands the account? The average in 1842 was 6,163,000*l.*; and in 1846, 2,029,000*l.*; showing a decrease on the average of the two periods of 4,133,000*l.*; being a decrease of that particular amount of debt, little inferior in value to the decrease of 7,000,000*l.*, which I have shown to have taken place on the funded and unfunded debt of the country. I know, however, that there is a general opinion that, with a debt so large as this country is encumbered with, it is of very little importance whether the Minister can or cannot show that he has effected some slight reduction, as in the present instance of 15*s.* per cent on the total amount of the burden. I do not agree in that opinion. I think that it is the duty of those who manage the finances to labour as much as possible for the reduction of the capital of the debt. It is advantageous in itself—it is yet more important as affecting the national character—to show that we are not insensible to the burden pressing on us, and that we are willing to make sacrifices, in order to reduce it. There is, however, another mode independent of any reduction of capital by which the burden of the debt may be diminished. It was stated by Mr. Huskisson, that with the amount of debt to which we are subject, the most effective relief for the mass of the people was not so much by reducing the capital of the debt, as by reducing the annual charge; and in estimating the financial state of the country we shall do well to see how far, during the period I have stated, the charge of the debt has been diminished. I will, therefore, state the amount of the charge at the two periods to which I have adverted. On the 5th of January,

1842, the interest on the funded debt amounted to 24,444,000*l.*; the terminable annuities to 4,097,000*l.*; the management of the debt cost 160,000*l.*, and the interest of Exchequer Bills amounted to 896,000*l.* The total annual charge of the debt annually required to be defrayed out of the taxes of the country amounted therefore in 1842 to 29,597,000*l.* Now, let us look at the annual charge in 1846. On the 5th of January in that year, the interest of the funded debt, instead of being 24,444,000*l.*, was 23,642,000*l.*, being an abatement of 800,000*l.* The terminable annuities amounted to much the same amount as in 1842; being 3,967,000*l.* in 1846, and 4,097,000*l.* in 1842; and I mention this in order that no one may suppose that the reduction of the funded debt has been occasioned by an increase of the terminable annuities. The management of the debt, which in 1842 cost 160,000*l.*, was reduced to 93,000*l.* in 1846, and the interest of Exchequer Bills was reduced from 896,000*l.* in 1842, to 426,000*l.* in 1846. The total result, therefore, is, that the charge of the debt on the 5th of January, 1842, having been 29,597,000*l.*, was on the 5th of January, 1846, reduced to 28,129,000*l.*, leaving a balance of relief to the public with respect to the whole charge of the public debt of about 1,500,000*l.* Nor is this all. The House is aware that by the measures submitted to Parliament in the year before last, instead of immediately securing a relief from annual charge by increasing the capital of the debt, the Government, with the universal approbation of the House, postponed one-half of the reduction of interest until 1854, at which time there will accrue a relief to the public amounting to 625,000*l.* a year. Thus there is a present and immediate relief to the public arising out of the system of commercial and financial measures adopted by the Government, amounting to 1,500,000*l.*, on the annual charge of the debt; and also a further relief of 625,000*l.* a year, at no very distant period; making a reduction of upwards of 2,000,000*l.* of the annual charge of the debt. What, then, is the result of the tests I have applied in order to ascertain the benefit of the course which has been pursued? I have an increased balance in the Exchequer of nearly 5,000,000*l.*; I have the capital of the debt reduced by about 7,000,000*l.*; I have the deficiency bills reduced by 4,000,000*l.*; and I also have an immediate reduction of the annual charge for the national debt, amounting to 1,500,000*l.*, and ultimately a reduction on that account of 2,000,000*l.* I therefore ask any man to tell me, if he cannot show me that my statements are erroneous, by what means these advantages have been gained, unless it be by the system of commercial and financial policy adopted by the Government and the House? There is one observation with respect to the public debt which had escaped me, but which I think it necessary to make. It may be admitted that we have reduced the national debt; but it may be urged that we have had large remittances from China, amounting to about 3,500,000*l.*, and have applied that sum to the reduction of the debt. I wish to guard the House against such an error. The amount received from China was 3,359,219*l.*; out of that sum there have been expended for the expenses connected with the China expeditions, 400,000*l.* in 1842; 800,000*l.* in 1843; 800,000*l.* in 1844; making a total of 2,050,000*l.* There has also been a further payment for opium compensation, amounting to 1,270,000*l.*, making the total expenditure 3,320,000*l.*; so that the whole balance left was only 30,000*l.* I think that the House will be of opinion that the statement I have been enabled to make is satisfactory. And how has this result been produced? Has it been attained by starving the resources of the country — by endangering our peace at home or honour abroad? Quite the contrary. I have already stated—and some Gentlemen may perhaps complain—that we have been prodigal of naval and military expenditure; but we thought it right to keep the establishments of the country on a firm and solid footing, and to place this country on a par with other countries in the world with whom we may possibly come in competition. It has not, therefore, been by any abandonment of the duties of Government—it has not been by depriving this or that service of what is necessary to enable it to be carried on efficiently, that we have been able to save the money whereby to effect the advantages I have enumerated. Have these advantages been obtained by the imposition of heavy taxes?—for it is very possible, we know, to effect reduction of debt by means of new and productive taxes on the people. Now, let me state to the House what is the amount of taxation from which the country has been, not

burdened, but relieved, during the period to which I have referred. It would be a fallacy to suppose that the country is by a remission of taxation only relieved to the amount of the loss experienced by the Exchequer. Nothing can be more erroneous: when you reduce a tax on any article, the effect is, an increased consumption of that article; and the minor duty on the larger quantity always diminishes, and sometimes prevents any loss to the Revenue. But the relief to the public goes to the full extent of the duty withdrawn. Take the late reduction of the sugar duty as an instance. The Revenue loss was calculated at 1,300,000*l.*, because an additional consumption of 50,000 tons was anticipated and realized. But the public gained, upon every pound of sugar consumed, the difference between the price at which sugar sold before and after the reduction of the duty. I say, therefore, when you come to consider what is the relief from the pressure of taxation given by taxes reduced, you must not take merely the amount which the Revenue has lost, but the amount that would have been imposed on the people if that tax had continued in operation. In 1842, taxes were imposed upon this country to the amount of 5,600,000*l.*, principally consisting of the Property Tax, but including also certain stamp duties. In the year 1845, two small additions were made to this amount in the Excise and Stamps; one of them being the increased duty on auctioneers' licenses, resulting from the removal of the auction duty—the other addition was in stamp duties incidental to that alteration. The total amount of taxes imposed between the 1st of June, 1842, and the present time, is 5,624,000*l.*; but when you come to look at the amount of the taxes that have been reduced, coupled with those which have been abolished, they will be as follow: in 1842, taxes amounting to 1,590,084*l.* were taken off, principally in Customs' duties; in 1843, there were taken off, 171,521*l.* in Customs' duties, and 240,000*l.* in the Excise; in all, 411,512*l.* In 1844, there were reduced 286,431*l.* in the Customs, 25,000*l.* in the Excise, and 102,788*l.* in Stamps, principally upon marine insurances; in all, 414,219*l.* In 1845, the total relief afforded to the people by the repeal of Customs' duties, was 3,614,394*l.*; Excise duties, 1,135,000*l.*; in all, 4,749,394*l.* We have this year sent up to the House of Lords a Bill reducing Customs' duties to the amount of 1,041,547*l.*, making the total amount of duties repealed or abolished up to the present period, 8,206,765*l.* Now, if we set against this large reduction the amount of duties that have been imposed in the same interval, 5,624,079*l.*, we shall have a diminution of the burdens of the people to the extent of 2,582,686*l.* And concurrent with this large reduction of taxation, has been effected that important reduction of the capital and annual charge of the debt of the country, and those other financial results which I have enumerated, and which have each a material bearing on the national prosperity. To what, then, shall we attribute this improved state of things? I know some hon. Gentlemen will tell me that we have had a series of good harvests—that this improvement has been the result of those good harvests, and to them alone can the result be attributed. God forbid I should attempt to depreciate the value of these great blessings of Providence, or betray by a single expression a want of the due sense of the value to be attached to them, and the thankfulness they ought to create in the breast of every man! I feel as deeply as any one the importance of that blessing to the happiness of the people and the prosperity of the country, and not a word shall fall from me to imply that I am not deeply sensible of it. But have we never had good harvests before? Has there been no former period in which, for consecutive years, we have had harvests equal in abundance to those of the period of which I am speaking? And can we show, in those successive years, the same results which we are able to produce to-night as the result of the four past years? It is notorious that the years 1833, 1834, 1835, and 1836, were periods of excessive abundance, the year 1834 especially. Nothing has been witnessed like it either before or since; yet if we look at the state of the country during that particular period, though the Revenue was materially increased, yet the result as to the relief of the people in no degree corresponded to that I have had the pleasure to detail to you. The years 1820, 1821, 1822, and 1823, were also years of unusual plenty; but can you show in any of these periods, under different Administrations, the same result as we present this evening? Then, I have a fair right to argue that it is not the harvests alone which have made the difference; it is that, in these latter years, we have adopted a system

of commercial and financial policy which has, on the one hand, not counteracted the blessings of Providence, and has, on the other, materially aided the efforts of the country in relieving itself from its difficulties. We have, by a judicious abolition of restrictive duties—by a cautious, prudent, and yet progressive reduction of those which, acting as protective duties, enhanced the price of commodities — obtained advantages which, under other circumstances, in former years were not gained; the finances of the country were conducted by men of greater abilities than any that can be pretended to by the individual who addresses you; the seasons were favourable, the harvests abundant, and yet the same results did not follow; because neither the Government, the Parliament, nor the country, were prepared for the system which has been subsequently adopted. But are the results of this system to be traced only in financial prosperity? As a national object, that is most desirable in itself, but it derives additional value when accompanied by a progressive increase in the comforts of the people, an improvement of their social habits, a great extension of education, and a growing attention to their moral and religious welfare. Has not that happy consequence resulted? Are not the comforts of the people improved? How shall we test that improvement? Can I do better than refer to that which is well known as the test often applied, and with perfect justice, to ascertain this fact? The comfort of the people cannot be better tested than by seeing what are their earnings, what are the amounts from their limited incomes they have devoted to pecuniary accumulation. I will take the average difference between the amount invested in savings banks in the four years previous to 1842 and the four years after, and see if it is not a test of what I seek to prove, that there is greater ease and comfort among the working population. Taking the average of the difference between what was paid into and withdrawn from the savings banks in the four years previous to 1842, I find it was 357,000*l.*; in the four years subsequent to 1842, it has been no less than 793,000*l.*, or more than double the amount. And this, be it observed, took place, when in the latter period there was an additional restriction imposed on the amount permitted to be deposited in savings banks, and a reduced rate of interest paid on deposits; and, therefore, when the inducements to lay by money were to a certain degree diminished. This increase, too, I am happy to say, arises not upon the larger amounts or the old deposits, but from the greater number of smaller contributions. Considering that there are not less than a million of contributors by whom this money is paid, and that the easy circumstances of these individuals diffuse comfort over the families with which they are connected, I think it affords a certain proof of the extent to which additional comfort has been enjoyed by the humble classes of the population. But I will take another test of that improved condition in the increased consumption of exciseable commodities. In this point, we this year stand in a peculiar situation. In other years we have had to congratulate ourselves, that the deficiency of consumption of certain exciseable articles has been made up by a large increase in the consumption of others: but in this year there is not one article subject to excise, in which the consumption has not increased; from the top of the list to the bottom there is no diminution. Taking together these two tests of the power of consumption and accumulation, are they not strong evidence of the increased comfort and ease of the population? With respect to the moral habits of the people, take the test of the present state of crime. There has been a great reduction in the number of committals for crime in different parts of the country; there has been a decrease of 7 per cent on the amount of crime committed in this period compared with the four years antecedent. Take another test, and one that indicates no less surely the improvement in their moral habits; I refer to the state of education during these four years, and the four years preceding them. We have, unfortunately, no general statistics of education from which to form a comprehensive view of the extent to which this benefit has been disseminated; but we have partial statements of the applications that have been made for the establishment of schools in different districts, and the number of persons who are desirous of being provided with education. Generally speaking, the number of persons of this class for whom applications have been made to the Board of Education, has increased in this period in the proportion of 500 to 200. The greater desire on the part of the people to obtain education, I hold to be the surest evidence of

their anxiety to advance their own moral welfare. Again, take the efforts making throughout the country to extend the benefits of religion to those so educated; and I say that you complete the picture of the moral improvement of the people. There were times in this country when the Legislature thought itself entitled to high approbation, because, in the course of a century, it had built fifty churches for the purpose of communicating to the lower orders the benefits of religious truth. But in our own day, in the present period, I am happy to say, we should not think it much to have built fifty churches in the course of a century; in a single year there have been fifty churches built and endowed with funds by the rich of the land, to furnish temples in which, conjointly with the poor, they can offer up a common prayer for the prosperity of their common country. The ardour with which this object is pursued, and the equal ardour with which congregations rush to them for instruction, is, I think, conclusive evidence of the present improvement in the moral and religious habits of the people. Nor can this be regarded as a mere transient improvement. The power of religious truth is not of a fleeting character; it is handed down to succeeding generations, and permanently raises the character of the people. If I had not already too long trespassed on the attention of the House, I could adduce many circumstances, trifling, perhaps, in themselves, but collectively important, as bearing on the same point, and indicating the great improvement that has taken place in the manners of the population. I could state, we are no longer offended with those violent outrages which, under the name of amusements, were witnessed in former days by the observer of public morals. We find the people following amusements calculated to afford instruction as well as pleasure. They attend public institutions in greater numbers; the number of visitors to the British Museum has increased from 300,000 in a year to 600,000. Other institutions show a corresponding increase. And this improvement of the people in civilization, in morals and in religion, has taken place concurrently with the improved prosperity of the country in commercial and financial affairs. I think that I may then, without presumption, congratulate the House and the country on these happy results. I feel satisfied that I am not wrong in ascribing them mainly, under the blessing of Providence, to the policy which has been pursued by the Government; which, not hastily nor rashly deranging existing interests, and thereby diminishing, by immediate suffering, the value of the ultimate benefit, has cautiously introduced and safely effected great and important changes essential to the permanent welfare of the people. For my own part, I confess that I shall ever review with humble satisfaction and thankfulness the share which it has been my lot to take in the several measures of which it has been my privilege to bring the results before the House. I shall derive a yet higher gratification, if the effect of the observation of the past shall be to impress upon Parliament for the future this important lesson—that if we, with cautious attention to existing interests, steadily and judiciously, but yet progressively, reduce those burdens which more immediately press upon the industry and comforts of the population, we shall adopt the course the most conducive to individual welfare; and shall, at the same time, place on a sure and solid foundation, not merely the financial interests, but the general prosperity and happiness of all classes within this mighty Empire. The right hon. Gentleman concluded by moving—

"That, towards making good the Supply granted to Her Majesty, there be issued and applied to the service of the year 1846, the sum of 253,738*l.* 8*s.* 11*d.*, being the surplus of Ways and Means granted for the service of preceding years."

Mr. F. T. BARING stated that there could be no doubt that the mode of presenting the financial statement on that occasion was different from that which was pursued in former years, for it was customary to lay on the Table of the House the estimates of the amounts for the various services, and then obtain the sanction of the House to provide for those charges, and thus the amount required was known. After this was done, it was the custom for the Chancellor of the Exchequer to state the amount of the revenue, so that the House might deal with any surplus that remained. He could not help making this observation on the present occasion, as he protested against adopting the present course as a general rule, as he thought the old course was by much the better and safer. No doubt there were specific reasons on the present occasion which rendered it necessary to depart from the usual course; for after the state of things in December last it was impossible, from regard to the commercial interests, to pursue the usual

course in making the financial statement. The result was, that at the present moment all that could be done had been already done, and they had now to consider what was the state of the finances of the country. The right hon. Gentleman had gone into many points of great intricacy, which made it difficult to follow him. He would, however, endeavour to do so. They had now to look at the balance for the year, and see whether the increase was sufficient to meet the general amount of the expenditure; and for this purpose he should, as far as he could, make a general examination of the figures of the right hon. Gentleman. It was difficult to follow figures at any time without the Papers; and he did not know whether he had taken the amounts stated by the right hon. Gentleman down accurately. He, therefore, should feel obliged to the right hon. Gentleman if he would correct him if he was wrong; and if he should be so it could be no fault of the right hon. Gentleman, who had made his statements as clear as possible. The House must have been surprised to find that nearly the whole of the speech of the right hon. Gentleman had reference to the proceedings of himself and Colleagues. The right hon. Gentleman had shown, as it seemed to him, very great pleasure in going from the finances of the year into any other subject which at the moment presented itself to him, and had followed it up by dilating on all the advantages which might be derived from an improved commercial code. He was surprised that the right hon. Gentleman had taken credit for the Government in that House for the new system of education. [The Chancellor of the Exchequer had only referred to the extension of education as a proof of the improved moral feeling of the people.] He would not be tempted to go into this question; but he must add that he was sure it must now be gratifying to the right hon. Gentleman that he had not succeeded in his opposition to the improved system of education. Looking at what their present state was, he thought there was some apprehension whether they were not living above their income, and he was anxious to inquire what was both their income and expenditure. The surplus was set down at 760,000*l.*, and to that was added the balance, 77,000*l.* of the China money; but that entirely depended on whether or not the right hon. Gentleman had correctly stated their expenditure and fairly estimated their income. In going into the Estimates he did not think that the right hon. Gentleman had fairly stated the expenditure—he (Mr. Baring) did not mean according to the Votes, but in reference to the actual charge for the year. It was rather difficult to go into a statement of details on this subject so as to make them clear, but he would endeavour to do so by some common illustrations. Suppose that a person took a house, for which he was to pay 400*l.* a year rent, under the arrangement to pay it quarterly. It was true that the last payment for the year was not due until the 1st of January in the new year. The person who took the house might therefore say that the expense for his house was only 300*l.* and not 400*l.*; but if he wished to make a fair estimate of his expenditure, he must take into account the charge for the four quarters instead of the three. He put this as an illustration that Gentlemen might follow him; and every one must see that the three quarters for one year would not do for the next year. It might be very convenient to take such an expenditure for the year, but the charge must come in the following year, and if he wished to look at the rate he was living at, he must take the actual charge. He (Mr. F. Baring) would take the Estimates in this way, and he held the Army Estimates in his hand. He would take the charge of the half pay and reduced military allowances, and he found that the actual estimate for that service for the year was 434,000*l.*; but the right hon. Gentleman did not take the whole amount, but only three quarters. He only proposed to take 326,000*l.*, while the charge virtually was 434,000*l.* Thus he only took three quarters, and left the fourth quarter to the next year, when he would have to take it. By this means of proceeding a considerable reduction was apparently maintained; but when they came to the balance at the end of two years, the whole amount would be made applicable, and the real expenditure stated. He found the same proceeding held in other things. The Navy Estimates in this respect were correct; but he found in those for the Ordnance service the same discrepancy. He would not go through the figures; but he found that under the vote for the non-effective service of the Ordnance, 41,000*l.* less was put down than the real amount of the charge for the year. In this rate only three quarters were paid. Looking to the Ordnance expenditure, he found a charge made for works, building,

and repairs. Gentlemen were aware that the usual mode of stating Estimates was to give the whole amount required for the works and repairs. The sum was generally voted in accordance as the work proceeded. They agreed first as to the sum to be expended, and then appropriated it by a vote as was required. Let them suppose that the sum required was 50,000*l.*; that it was necessary to expend 10,000*l.* this year, that sum was then voted, and the remaining 46,000*l.* went into the account of future years. If they wanted the whole sum of 10,000*l.*, it should be stated in the expenditure of the year, and no part of it reserved for the year following. It was very possible that contracts might be so made that a considerable portion of the expense should not be required nor paid within the year, though the actual expenditure was proposed for that year. Thus they saw a very large sum voted as required for the Ordnance service this year; but a considerable part of the expense was postponed till next year. In such a case, by only stating what was required this year, you had an advantage in the year's accounts; but you were also sure to increase the amount of expenditure in the accounts of next year. By so doing, though you relieved the accounts for the present year, you threw an additional weight into the year following. It might be perfectly right, this new mode of stating accounts; he did not find fault with it, although he did not know the grounds upon which it had been adopted; and, at all events, he thought that the thing called for explanation. It might be perfectly correct to do this; but if you had to give a statement of the expenditure for the year, by taking off one quarter the expenses would be apparently reduced; but only reduced for a time, as they must again appear in the public accounts. He did not wish to trouble the House with any particulars upon this point; but it seemed to him that the Army expenditure was thus understated by 208,000*l.*, and the Ordnance estimates understated by 298,000*l.*, making altogether an understatement of about half a million upon the expenditure. And, if they really wished to know what they were spending, they should take away this 500,000*l.* from the 700,000*l.* or 800,000*l.* surplus which the right hon. Gentleman had promised. The House would recollect that his hon. Friend the Member for the University of Oxford asked a question some time ago as to the probable amount of the sum which it was proposed to give to the agriculturists for compensation. His hon. Friend did not use the word "compensation;" and he (Mr. Baring) only used it now as a short way of bringing the fact before the House. The right hon. Gentleman estimated the amount of compensation to be given to the agriculturists at a sum amounting to about 535,000*l.* Now, in looking through these Papers, he could not find that 535,000*l.* appeared to be voted on the Estimates; he found a sum of 170,000*l.* for that purpose. He did not see how this was made up. The right hon. Gentleman might have only taken half a year; but this was all that was to be voted in the present year. It was not, perhaps, unfair to state that they must come in for a large balance at a future period. If the charge was to be half a million for the future, it was most important that they should have some statement as to the future. If they voted the sum proposed this year, they would have for the charge for the remainder of this year to vote next year's expenses of 300,000*l.*; and he believed that they would have to pay fully that amount. Was, therefore, the expenditure correctly stated? Their balance was 766,000*l.*, and, with the China money, about 865,000*l.*; but if not taking the China money—and they hardly could do so—there was only a balance of 70,000*l.* He was, therefore, assured that the right hon. Gentleman was quite right in going into a general speculation, and in sliding from the actual subject before the House as easily as he could. So much for the expenditure: they now came to the income; and it was quite clear they had not the 700,000*l.* to meet the next year. He might be told that they might next year reduce the expenditure; the expenditure of this year may be larger than next year; and next year there may be a reduction which will meet this. Now, in these promises he had no faith. He had moved for returns which had been laid on the Table, with a view of showing to what state their expenditure had been brought. He could not find, with the exception of the particular reduction in duty alluded to—and for this reduction he gave the right hon. Gentleman every credit—that there had been any reduction in the expenditure at all. He did not mean, in saying this, to blame the Government; he could not see that the Government was to blame. It should be remembered that the more a Government was anxious to reduce the expenditure, the less expectation could they have of a continued re-

duction; they could not always go on reducing; and such a dependence upon reduction in the expenditure was but a feeble reed wherewith to support a financial system. The hope was held out to them, that by taking off smaller duties they would materially lessen the expenses of collecting revenue; but he found, taking the Customs, that the whole charge of collection was very much about what it was in 1841, at the period before any of those changes were made. Some slight reductions must, no doubt, be made by such a system; but the whole charge had very much increased; and as no material diminution in the account appeared to have been made since 1841, they could not calculate upon any great reduction for the future. The result was, that the Estimates now submitted to the House were the largest proposed for those services since the year 1822. He believed those Estimates to be of the necessary and right amount, and he did not blame the right hon. Gentleman; but he must be allowed to add the remark, that if hon. Gentlemen supposed that by any change of Government they supposed they could reduce the expenses of the main services of the country, they would always find themselves mistaken. It might be unfair to charge the right hon. Gentleman opposite with results which might be supposed to proceed from measures adopted by Gentlemen on his (Mr. Baring's) side of the House; but the fact was, that even with Lord Aberdeen presiding over our foreign affairs, and after the present Government had had ample time to follow their own course, the Estimates had largely increased, not from any peculiar policy, but from the necessity of circumstances. They were increasing from year to year; and he freely owned, he saw no great prospects of any material reduction in them. The Miscellaneous Estimates had also increased. He had often remarked that whenever the Miscellaneous Estimates were discussed, the Chancellor of the Exchequer was almost left alone in the House, and that the House was sometimes exceedingly stingy about stationery, whilst at others it was exceedingly pressing for a considerable sum to be paid for Danish claims. He returned again to the estimates of income. He would accept the estimate of the right hon. Gentleman; but when the right hon. Gentleman calculated so much upon what had been done in the last three years, he listened to him with some misgivings. He perfectly concurred in the expediency, wisdom, and justice of relaxing their commercial system; but he could not go with the right hon. Gentleman when he told them that the prosperity of the last three years was certainly attributable to the Tariff; and he still further doubted the declaration that if they pursued the same course they would ensure an unending prosperity. He looked upon this as a mistake: he thought to lay such a foundation upon these principles was unfair; and he did not at all believe that the prosperity they had recently enjoyed was the consequence solely of their policy. Even if they had done nothing, the last three years would have been more prosperous than former years; he believed they had done what was right, and that they had added to the benefits which otherwise would have accrued to them — they had made hay while the sun shone; but the sun would not shine for ever. Whether under a system of free trade or not, they could not rely upon such an uninterrupted good fortune; he was unaware of any secret in politics which could secure them that blessing, and they must expect temporary reverses even under the most perfect political system. The income which had been derived from corn would in three years disappear. He did not lay any stress upon that, for he anticipated no real loss; and in regard to the timber duties, the measure would come into operation next year; and, whatever other effect this would have, it would erase a considerable amount of revenue, to meet which they should have a certain surplus. That made two items for their calculation; and then there was a third. When the income tax was introduced, a promise was made that it should cease, certainly at the end of six, and perhaps in three years; their revenue, therefore, of 5,000,000*l.* was not a permanent income unless that tax became permanent; and if this 5,000,000*l.* as well as the corn were gone, what did the right hon. Gentleman expect? He had been always hostile, and still was, to the income tax as a permanent part of the financial system of this country. Before he sat down he wished to put a question to the right hon. Gentleman the Chancellor of the Exchequer. It was stated by the right hon. Gentleman that he had increased the balances in the Exchequer; and, of course, nothing could be more satisfactory than to see those balances increased as much as possible. It was said that he (Mr. Baring) had left them low, and he should be glad

now to see them really and substantially raised, provided that that could be done without detriment to the public service; but he did not feel quite satisfied that the increase upon the present occasion had been effected precisely in the manner that might be wished; and he hoped, therefore, that the right hon. Gentleman would afford the House some explanation with respect to those balances. The House was, of course, well aware that at the end of every quarter the surplus ought, in the regular course of business, to be handed over to the Commissioners for reducing the National Debt. Now it did not appear that the whole of that surplus had been handed over to those Commissioners; for the practical effect of what had been done was to increase the balances in the Exchequer by reducing the amount which ought to have been handed over to the Commissioners for reducing the National Debt. He freely admitted that the Chancellor of the Exchequer had a clear legal right to take that course of abstracting 30,000*l.* out of the 6,160,000*l.*, for the purpose of increasing the balances in the Exchequer; but though the proceeding might have been legal, he did not quite subscribe to the expediency of it; and, therefore, he should be glad to hear from the right hon. Gentleman the grounds upon which he was prepared to defend such a proceeding. His noble Friend who before him had held the office of Chancellor of the Exchequer, found a surplus in one year; but he did by no means feel certain that he should have an equal surplus in the following year; and instead of transferring his surplus to increase the balance in the Exchequer, he spread his operations over two years, and the result proved the wisdom of that proceeding, for in the following year he had no surplus whatever. For these, as well as for other reasons which must be obvious to the House, he did wish that the right hon. Gentleman would afford the House some explanation upon this point. A good-humoured public believed that those sums were handed over as contributions towards a reduction of the national debt, whereas a considerable portion of that surplus was applied to a legal but yet totally different purpose. He had wished from the outset to confine himself to the exact business before the House, and upon that he had very little more to say. The Ministers had settled their policy; they had settled their Corn Bill, they had settled their Tariff; they had before them all the expenses of the country, and it would now be for the House to say whether they would sanction the application of a real surplus, or one that was not real, to the increase of the balances in the Exchequer. He had taken great pains to check the calculations made upon this point, and even to have them checked by others; but instead of there being a surplus, in the sense that the Chancellor of the Exchequer described it, there was a deficiency—a deficiency, as it appeared to him, of not less than 800,000*l.*; and he feared that if another railway mania should arise and produce an exhaustion of capital —he feared if that occurred that the too sanguine expectations of the right hon. Gentleman would not be realized, and that the revenue of the country would not in the next year be in that state which the Government anticipated.

The CHANCELLOR OF THE EXCHEQUER said, that upon two points to which the right hon. Gentleman referred he should say a few words. There were certain Estimates, as well of the Navy and Army as of the Ordnance, in which it appeared that the expenses of three quarters were only charged; but that possibly at first view those expenses might be supposed to include the charges of the whole year. That statement of the right hon. Gentleman was correct as to some of the Estimates; but he must be aware of the reason why that took place. The hon. Gentleman knew that Commissioners had been appointed to investigate that branch of the public service, and to put it upon a proper footing with respect to several of its accounts, and that a balance-sheet of the Naval Estimates and expenditure was regularly made in conformity with the recommendation of those Commissioners. The arrangement made was that, in the case of the Navy, they should only charge three quarters, and not for the whole year; this was of course done without any additional vote of Parliament on the subject, and it was thought right, at the same time, to limit each department within itself, and cause those departments to pay over each its own surplus at the end of the year. Of course if, instead of there being a surplus, there happened to be a deficiency, then the department would be entitled to draw for the amount of such deficiency; and in the latter case it was the practice to apply to the House of Commons for a supplementary vote, to make good the deficiency. This had hitherto worked beneficially for the

public; and he did think it was a good mode of maintaining order and regularity in the accounts of those departments. It was true, as the right hon. Gentleman said, that so far as it went, it produced all the appearance of a reduction in the expenses of the year; and, of course, no one could say beforehand what might or what might not be the amount of the revenue, or the amount of the expenditure; but every one must admit that the plan was good so far as it went. It had been practised for some years; and though he had taken an amount beyond what he expected would be necessary, yet he was sure upon reflection the House would see that the plan was upon the whole the best that could be adopted. With respect to the transfer of monies from the surplus for the purpose of increasing the balance in the Exchequer, the right hon. Gentleman admitted the legality of the proceeding; and its expediency could easily be shown by the advantage to the country which arose from the saving of interest effected by increasing the balances in the Exchequer; for, by keeping those balances up to a certain amount, the necessity of borrowing money from the Bank was avoided. The increase of those balances within certain limits rendered the Government not only independent of the Bank, but secured a very considerable saving in the way of interest. It was more prudent to save the country the necessity of borrowing six or seven millions than to hand over a larger surplus to the Commissioners for reducing the National Debt, than, under other circumstances, might be practicable.

MR. HUME had no objection whatever to the statement made by the right hon. Gentleman the Chancellor of the Exchequer. It appeared to him to be fair and intelligible. As the subject of Deficiency Bills had been mentioned, he (Mr. Hume) would say, as he had stated before to the right hon. Gentleman, that it was of the utmost importance to free the public from the necessity of going to the Bank. The right hon. Gentleman had stated correctly that there had been an increase in taxation to the amount of 5,624,000*l.*; and that upon the other hand there had been a decrease of 8,206,000*l.*, showing a decrease in amount of 2,582,000*l.* That appeared to him to be one of the greatest improvements which had taken place since the present Government had been in office: to remove taxes which pressed immediately upon industry, and which came into the consumption of every individual, and to transfer them to property, would operate vastly to the improvement of the condition of the millions. So far as indirect taxation pressing on the community at large was converted into direct taxation pressing on the wealthy, the change was of great importance. He should recommend to the Government the removal, to a great extent, of assexed taxes of the country, such, for example, as the tax upon coaches and horses. By removing those taxes, a great stimulus would be given to the industry of the country, and a great expense in collection would be saved. He would much rather pay an additional 1 or 2 per cent upon the income tax than see those taxes continued. After the speech of the right hon. Gentleman—a speech which he certainly never thought to hear from that right hon. Gentleman—he must say that he hoped to see a great improvement in the trade and industry of this country. That speech, as coming from the right hon. Gentleman was the more valuable, because it showed that former errors were forgotten, that new principles were adopted, and that the country was to have the benefit of the free policy which the Government had adopted. He thought, considering all the circumstances of the case, that the country had good reason to be satisfied with the statement of the income. There was, it was true, only an available surplus of 76,000*l.*, excluding the China money; but he trusted that the occurrences of the last few years would lead to a long continued peace, and with peace they might expect increased commerce and prosperity. The Estimates for the Army and Navy were large; but as great establishments might be necessary for the preservation of peace, he had never objected to those votes. He looked upon the increase made in those votes as only temporary; and he thought that the Government were perfectly justified in keeping up those establishments at this time, The right hon. Gentleman had passed lightly over the policy of the Government with regard to sugar—a policy which he (Mr. Hume) regarded as most ill-advised. He trusted that the Government would be better disposed during the present year, and that by altering the duties and adopting a proper policy, they would make the surplus of next year at least one million and a half. It certainly was a great error to exclude slave-grown sugar—it was one of the most mistaken opinions that possibly could be, that by refusing slave sugar they

could lessen the Slave Trade. It was only changing the course of foreign free sugar, and allowing the slave sugar to supply the markets, which were before supplied by the foreign free sugar. He had been informed by a competent authority, that if the Government had adopted the proper policy with regard to slave sugar, they might have looked for an addition of 1,500,000*l.* to their revenue. There were other articles on which it was of the utmost importance to reduce the duties, such, for example, as tobacco and tea. The duties on these articles were so high as to hold out a great premium for smuggling; on some kinds of tobacco it was as high as 2,600 per cent. The expense of collecting those duties was extremely heavy, and was increasing; it was heavier than it had been since 1831. The expense of the coast guard was increasing. Smuggling was increasing; and notwithstanding that 600 articles had been erased from the Tariff, no reduction had been made in the Custom-house establishment, as had been very properly made in the Excise; and in spite of all the complaints of Custom-house abuses, no improvements had been made. Subject to these observations, he looked upon the Estimates generally as fair. By adopting the liberal policy which the Government had shadowed out, by making our Colonies productive of wealth, by freeing them as we had freed our commerce, the country might look with certainty to a prospect of continued and increased prosperity.

Lord G. BENTINCK: Sir, I certainly cannot object to the increase of the naval or military establishments of the country. I think, when we recollect that it was chiefly to the observation of Mr. Calhoun to the Congress of the United States, to the effect that we had a fleet of 667 ships, while they had but 47, that our present pacific relations with the States was brought about, and on that account I do not wish to see a diminution of the navy; but I must say I do think the surplus of 773,000*l.*, which I understand to be the surplus calculated upon by Her Majesty's Ministers is rather too narrow, under all circumstances, and in the face of all the great changes which have taken place, and which are expected to ensue; and when I heard the statement of the right hon. Gentleman opposite (Mr. Baring) acquiesced in by the Chancellor of the Exchequer, that he had not given the full expenditure of the year, while he had included the full income, I must say the surplus of 773,000*l.*, which must vanish as soon as we lose the China money, is too narrow to face the great changes that we may naturally expect. If I understood the right hon. Gentleman, there is no very great security that the interest on the Exchequer bills may not have to be raised. Already, I believe, the premium on Exchequer bills has fallen to 15*s.*; and if the disturbances between the United States and Mexico should lead to further alteration in the money market, the Chancellor of the Exchequer may have to raise the interest on Exchequer bills. I think the right hon. Gentleman has made a great omission in forgetting to state to the House what his views were with regard to the receipts to be expected from the duty on corn. In the last four years there has been received something like three millions and a half sterling from that source; and I think we ought to have heard from the right hon. Gentleman the amount he expects to receive from the reduced duty on corn. Does he expect that the corn now in bond is to pay 4*s.* duty, or at what duty does he expect foreign corn to come in at? Sir, 1,500,000 quarters of corn at 4*s.* duty would produce but 300,000*l.* Does the right hon. Gentleman expect that this is to be the entire amount of foreign corn imported, or does he expect another million of quarters of corn to make the duty equal to 500,000*l.* The right hon. Gentleman has drawn a very splendid contrast between the success of the financial measures of the present Government, and the failure that had attended those of their predecessors. He has, to be sure, given some small credit to the abundant harvests of late years; but that credit was very far short of what they were entitled to. Upon reference to returns showing the quantity of corn sold under the notice of the corn inspectors, we find, that in the year 1845, as compared with 1842, there were 6,400,000 quarters of wheat sold, as compared with 4,000,000 quarters in 1843. This is a proof that the harvest of 1843 was, by one-third, greater than the harvest of 1842. Why, that in itself, taken upon the consumption of 16,000,000 quarters of wheat, would give an increase of rather more than 5,000,000 quarters; and thus, when Providence makes a gift of the value of 5,000,000 quarters of corn, it is equivalent to a gift of 10,000,000. Then must there not have been far more prosperous harvests during the administration of the present Government than under that of the late, when they were notoriously bad? When the right hon. Gentleman tells us all the success that has attend-

ed the Ministerial measures is to be ascribed to the flourishing state of the finances, I think he has taken credit to himself for a great part of that which belonged to Providence. But, Sir, when we are told in this House, as we constantly are, that the consumer has the benefit of all the reductions, I utterly deny the assertion. Sir, have not those who made that assertion been told, over and over, that even in the timber duties, one-third of the entire amount reduced has gone into the pockets of foreigners. Now, with regard to sugar duties, what has become of the reduction since last year? The duty was reduced 11*s.* per cwt.; but has not the price risen 9*s.* per cwt., exclusive of duty? The price of sugar has risen to 33*s.* per cwt.; and into whose pocket has the remission of duty found its way—into the consumers or the producers? I admit, that with respect to a large portion grown by the subjects of Great Britain in Eastern and Western India, the money does go into the pockets of British subjects, and I do not regret it. Then, when we are told that the reduction goes all to the advantage of the consumer, I utterly deny the truth of the statement. The hon. Gentleman opposite to me (Mr. Hume), says that he would prefer the income tax increased one or two per cent, and the assessed taxes reduced instead. I do not share in the desire to see the income tax increased—though I should very much like to see assessed taxes reduced; but, Sir, the way to relieve the burden of assessed taxes is, to maintain the duties on timber, on corn, and on all articles of foreign produce, by remitting the duties on which you benefit the foreigner as much as the consumer in this country. I know, Sir, it is too late now to attempt to alter the decision of the Government, backed as it is by a large majority in this House. The ordinary course of things is reversed. Heretofore we were accustomed to hear financial statements of Her Majesty's Ministers first, and afterwards decide whether we should adopt or reject the suggestions submitted for our consideration; but we have now reduced all the duties—all the work is done, and we are met to-night, not to ascertain what is going to be be done, hereafter, but in reality what has been already done. The object of this discussion is only to tell us what is likely to be the result of the measures which have been passed, while as yet we are left completely in the dark. Therefore, I feel it would be only wasting the time of the House in offering any observations to it; and whilst I enter my protest against being supposed to approve of this financial statement, and this budget, I shall not trespass on the time of the House a single moment longer.

MR. C. WOOD considered it would have been the better course if the right hon. Gentleman (the Chancellor of the Exchequer) had apprised the House exactly of the state of the case, for now they had no correct information of the annual expenditure which was to be set against the annual income. He begged to remind his right hon. Friend, that when he said it was a usual course to vote three quarters instead of four, such was not the practice of the navy, for the custom was to vote the four quarters, although the money might not be actually paid before the 31st of March. The practice had ever been to vote the year's expenditure on the year's income. He did not find fault with the Estimates, but he found fault because the whole annual expenditure was not stated. The right hon. Gentleman had calculated the amount of customs duties repealed and reduced at two-fifths of the sum previously given. The whole sum being 1,041,000*l.*, by deducting two-fifths, the sum left would be 19,300,000*l.*, as the probable estimate for the ensuing year. The right hon. Gentleman's calculations were made, however, on six weeks' returns, which period was not sufficiently long to furnish correct data. Last year the duty on customs was 21,000,000*l.* Deducting two-fifths of that sum for customs duties repealed and reduced, the sum of 19,700,000*l.* would remain as the estimate for the year. The experience of last year should have been taken as a guide to what would occur this year. At the time of the introduction of the last Tariff, they were told that the reduction on ordinary expenditure would fully compensate for the burden of the income tax. He doubted whether any Gentleman ever found that to be the case. This year, the erroneousness of that position had been acknowledged, for the Government alleged that the happy effect of the Tariff of 1842 was to raise prices. He was of opinion that the relaxation introduced in 1842, had stimulated industry, and given the people a greater command over the necessaries of life than they had previously possessed. The reduction of the duty on sheep's wool had been especially productive of great advantages. The quantity

imported previous to the reduction of the duty was 48,000,000 lbs., and now it had risen to 74,000,000 lbs. It had been also exceedingly gratifying to him, in going through the table, to find that there had been an enormous increase in the import and consumption of those articles, such as cattle, cheese, tea, tobacco, &c. on which the great body of the people lived. The increase in the revenue during the last year was mainly in the Excise, the Stamps and Post Office, and not in the Customs. There was an increase of 1,186,000*l.* in the Excise, while the increase in the Customs was under 200,000*l.* There had been a diminution in the import of white clayed sugar, the amount imported being only 31,300 tons. The differential duties had kept out about 85,000 tons of that sugar. He hoped some change would be made in those duties, unless the House was prepared to maintain the income tax. When the income tax was first introduced, he had opposed it, but he afterwards voted for its continuance, in order to cover the experiment then proposed. He trusted that when the differential duties on sugar would be again brought under the consideration of the House, they would be done away with altogether, otherwise the income tax must be maintained.

Mr. CARDWELL could not help feeling surprised that the right hon. Gentleman should take so gloomy a view of the future. He (Mr. Cardwell) should have thought that when the hon. Gentleman found that the removal of taxation pressing on the industry of the country had been productive of great prosperity to all classes of the community, and also of a corresponding increase in the revenue, he would have come to a conclusion respecting the future more analogous to the past than he had done. The Chancellor of the Exchequer had confined himself entirely to those items of expenditure which were anticipated to occur within the current year. The Estimates before the House were only for three-quarters of a year; and in confining themselves to that period they were following precedents which it was desirable they should observe. The money voted in the year was expended in that year. In the Estimates which had long been before the House, the fullest details had been given; and it was from those Estimates the hon. Gentleman had obtained all the information he possessed on the subject. The House should confine itself to the simple consideration of the present financial year, and what was the probable surplus which the balance-sheet of 1847 will exhibit. They should be introducing an element foreign to the subject if they took into consideration any other sums than those required to be voted for the service of the current year. The statement of the additional expenditure of the constabulary of Ireland had been omitted because that was a charge on the Consolidated Fund. The six weeks upon which the calculations had been made, corresponded exactly with the same period selected last year. The hon. Gentleman had declared, after taking a view of our financial state, that it would be necessary to look to some other source to keep up the revenue. When, however, he found that the net produce of the Customs and Excise, exclusive of the corn duties, produced in 1842 something about 32,000,000*l.*, while they produced in 1845, 33,500,000*l.* —although the amount of taxes remitted, on the lowest calculation, was 5,000,000*l.* —when he considered these things, he did not think there should be any serious apprehension entertained on the subject of the revenue. It might, however, be right, not merely for the purpose of finance, but for other reasons, to limit themselves to the income stated in the balance-sheet of 1847; at the same time there was the hope that present measures would impart an elastic energy to all their commercial relations; and he had no doubt that future years would present not only the same increase as past years, but even considerably more. He had not, therefore, the slightest apprehension but that the anticipations entertained by his right hon. Friend the Chancellor of the Exchequer would be fully realized; and he confessed that he drew the same conclusion from a part of the speech of the hon. Gentleman who preceded him, and who appeared to have adopted the same premises.

Mr. WILLIAMS observed that he had been disappointed as to the extent of the proposed expenditure for the next year. He thought that it would be materially reduced. Taking an average of the years 1834, 1835, and 1836, he found that the expenditure over that period was annually not more than about forty-four millions of money, less, by six millions, than that proposed for the expenditure of the next financial year. The hon. Gentleman went on to contrast the expenditure upon the army and navy of this country with that of the United States, and to express a hope that the relations between the two coun-

tries might soon be put upon a more satisfactory footing than that on which they now stood. A Commission to inquire into the collection of the revenue had at one time been appointed; but he was sorry to find it was not now in existence. Government ought to look into this subject, with a view of reducing the expenditure, for it was enormous. By a return which had lately been obtained, he found that within the last three years and a half there had been in this department no fewer than 600 new places created, with salaries to the amount of between 70,000*l.* and 80,000*l.*; and this was totally unconnected with extensive additions which had been made in other departments of the public service. He found, for instance, that four places had been created with salaries of 6,000*l.* a year each, two at 5,000*l.* a year each, one at 3,000*l.* a year, one at 2,500*l.* a year, ten at 2,000*l.* a year each, fifteen at 1,800*l.* a year each, eight at 1,500*l.* a year each, two at 1,250*l.* a year each, thirteen at 1,200*l.* a year each, twelve at 1,000*l.* a year each, sixteen at 800*l.* a year each, and thirty-one at from 600*l.* to 750*l.* a year each; being 113 places at salaries amounting to 149,500*l.* and all created within the last three years and a half. Could it be wondered at, then, that there was a great increase in the expenditure? He also found a great increase in the expenditure connected with the Woods and Forests. He considered that when the expenses of living had been so much reduced as of late years, the salaries of public officers ought to receive a corresponding diminution. Until, however, the House devoted itself seriously to considering the expenditure of the country, it was of no use for him or others to complain. Ministers would always be ready to make estimates if they thought the House was ready to vote money. The taxes were in value now 10,000,000*l.* more than they were in 1814. He could not, however, but admit that the Chancellor of the Exchequer's statement had been most clear and comprehensive.

MR. HUDSON, at that late hour was unwilling to occupy the House at any length; he would therefore confine himself to a few general observations. The House should feel much indebted to the right hon. Gentleman the Member for Portsmouth, in having called their attention to the very important omissions of the right hon. the Chancellor of the Exchequer; whose statements he (Mr. Hudson) did not think were in general very satisfactory. The two sides of the account were too nearly balanced to be the source of any cause of congratulation either to the House or to the country. He felt great disappointment when he discovered there was so little done to relieve the people from hose taxes which still so heavily pressed upon them. He did expect that a speculating Ministry —a Ministry which was so fond of indulging in utopian speculations, would have done something in the way of effecting a reduction on tea and other articles of general use by the poorer classes of society, in order to carry out their own favourite principle, which was to rely for an increased revenue on an increased consumption. He greatly feared the general consequences which would result to the country from the present measures of Her Majesty's Government. In the first place, it would be impossible for them to make any calculation as to what would be the probable amount of the income for the present year; no one, in fact, could tell what might be the effect of those great changes which were about to take place. As to the Estimates, that must be purely a matter of speculation. As to the general expenditure of the country, that demanded a serious reduction. It was the duty of that House carefully to look after the state of the revenue, and minutely to inquire into every item of the public outlay; and which inquiries might very possibly lead to useful retrenchments. The Chancellor of the Exchequer made what was apparently a very fair speech: it might, perhaps, be looked upon as one of a series of "prosperity speeches." He might be permitted to call the speech just concluded the first prosperity speech of the Chancellor of the Exchequer of the day. That speech certainly treated largely of all that prosperity which flowed over this country for the last four years—a prosperity which might be attributed to various causes. Reference, to be sure, was made to the good harvests which had prevailed —well, that might have had some influence on the general prosperity; he, however, would refer to the years 1822, 1823, and 1824, when there were abundant harvests and when there was an abundance of capital in the country. How was that capital applied? Was it applied to the internal improvements of the country? It was not; on the contrary, it was exported in bullion to South America. He would come down to the years 1833, 1834, 1835, and 1836, when the money of the country was not

expended in its internal improvements, as had been the case within the last four years, it being embarked in the construction of railroads and canals in the United States. Good harvests were a blessing, and their continuance might be the means of a nation's prosperity; still it was quite possible for a crisis to occur, to meet which the nation should not be unprepared, and which he feared might be the case from the measures lately propounded by the Government. The whole of the speech they had heard was very laudatory of past policy, and very complimentary to Ministers, who, it appeared, were rather oblivious of an old copy line often written by himself when a schoolboy—and which it would not be amiss to bear in mind—"Self-praise is no commendation." He did not much admire the former Government, but he neither admired the proceedings of, nor did he place any confidence in the present Ministry—who were continually boasting of the prosperity of the years of their office; but those causes which really led to that prosperity, he sincerely wished they had allowed to remain undisturbed.

Mr. JAMES: The noble Member for Lynn had stated that the difference between the sugar duty of 25*s.* 3*d.* and 14*s.*, had gone into the pockets of the West India planters. He could assure the noble Lord they had not had a farthing of it. In the present state of the labour market in those Colonies, the cost of production exceeded any return obtained for the article produced. If the noble Lord had not made a better speculation on the Derby than the West India planters, all he could say was, that he made a much worse book than usual.

Vote agreed to. House resumed.

House adjourned at a quarter past Twelve o'clock until Friday next.

APPENDIX.

SPEECH OF MR. HUDSON RESPECTING "RAILWAY LABOURERS,"

Thursday, April 30, 1846.—(See note, p. 220.)

Mr. HUDSON had no objection to the inquiry, because he was satisfied that it would redound to the credit of those gentlemen who had the honour of being connected with these public works. He believed that it was the wish of these gentlemen to improve not only the social but moral condition of their labourers. He could say for himself, that he had received several communications from clergymen relative to the necessity of having some religious instruction imparted to the labourers on certain lines with which he was connected; and in every instance of such an application, he had placed money at the disposal of the clergyman of the district for that purpose. In their contracts for work, the railway directors had a stringent clause prohibiting contractors, under a heavy penalty, from permitting labourers to work on Sundays. He had great doubts whether the appointment of the proposed Committee would be any public benefit; but at the same time, he would not oppose it, and he should be rejoiced if it effected any good. In every instance where grounds of complaint had been made relative to the treatment of labourers, it had been immediately remedied: in some cases it had come to his knowledge, that they received their wages at public houses, and the moment he heard it, he had insisted upon the practice being abolished.

INDEX

TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME LXXXVI.

BEING THE FOURTH VOLUME OF SESSION 1846.

EXPLANATION OF THE ABBREVIATIONS.

1R. *2R.* *3R.* First, Second, or Third Reading—*Amend.*, Amendment.—*Res.*, Resolution.—*Com.* Committed.—*Re-Com.*, Re-committed.—*Rep.*, Reported.—*Adj.*, Adjourned.—*cl.*, Clause.—*add. cl.* Additional Clause.—*neg.*, Negatived.—*l.*, Lords.—*c.*, Commons.—*m. q.*, Main Question.—*o. q.* Original Question.—*o. m.*, Original Motion.—*p. q.*, Previous Question.—*r. p.*, Report Progress—*A.*, Ayes.—*N.*, Noes—*M.*, Majority.—*1st Div.*, *2nd Div.*, First or Second Division.

*** It has seemed better, instead of incumbering this Index with a reference to Private Bills, upon which debate seldom occurs, to collect them in a Table at the end of the Session, in form similar to the Paper issued by the House of Commons. The date will be a sufficient reference to the Volume

☞ *The * indicates that no Debate took place upon that Reading.*

ABINGER, Lord
Charitable Trusts, 2R. 802

Adjournment, The,
c. Statement (Sir R. Peel), 1421

Administration of Criminal Justice Bill,
c. Com. *add. cl.* (Hon. E. Law), 166; *cl.* withdrawn, 167

ADVOCATE, The LORD (Right Hon. D. M'Neil), *Argyleshire*
Poor Relief (Scotland), 981

AGLIONBY, Mr. H., *Cockermouth*
Bridport Election, 900
O'Brien, Mr. W. S., 993
Supply—Public Departments, 1207

Andover Union, The
c. That the Committee have powers to Report its Proceedings (Viscount Courtenay), 1409, [A. 16, N. 81, M. 65] 1414

Art Union Bill,
l. Petition (Duke of Cambridge), 968

ARUNDEL and SURREY, Earl of, *Arundel*
Roman Catholic Relief, Com. 150

ASHBURTON, Lord
Corn Importation, 2R. 1291, 1322, 1333, 1368, 1383, 1390
Corn Laws, Returns moved for, 168
Customs Duties, 1R. 867

ATTORNEY GENERAL, The (Sir F. Thesiger), *Abingdon*
Bridport Election, 885, 888, 891, 910
Corn Importation—Oats, Com. 135, 137
Ecclesiastical Commission, Officers of the, 963
Fees in Courts of Law and Equity, Com. moved for, 184
O'Brien, Mr. W. S., 994
Smith, Mr. J. T., Case of, Com. moved for, 545

Australia, Convicts in,
l. Question (Earl Grey), 870

BAILLIE, Mr. H. J., *Inverness-shire*
Hardinge Viscount, and Lord Gough—Pensions to—Address, 28
Wellington, Duke of, Equestrian Statue to the, 962

BANKES, Mr. G., *Dorsetshire*
Bridport Election, 328, 329, 882, 904, 1415
Business of the House, 1423

BANKES, Mr. G.—*continued.*
Corn Importation, Com. 70; Rep. 238, 249
Customs Duties, Com. 844
Factories, 2R. Amend. Adj. 534, 535, 998, 1007
Privilege, Breach of, 815, 818, 819

BARING, Right Hon. F. T., *Portsmouth*
Budget, The, 1452
Fees in Courts of Law and Equity, Com. moved for, 108

BARRON, Sir H. W., *Waterford City*
Corn Importation—Oats, Com. 130
Railways (Ireland), 7, 8

Battersea Park Bill,
c. 2R.* 612.

BEAUFORT, Duke of
Corn Importation, 2R. 1399

BEAUMONT, Lord
Corn Importation, 2R. 1359
Corn Laws, Returns moved for, 170
Customs Duties, 1R. 865
Religious Opinions Relief, Questions for the Judges, 322
Sattara, Rajah of, 218, 219

BENETT, Mr. J. *Wilts, S.*
Corn Importation, 3R. 434

BENNETT, Mr. P., *Suffolk, W.*
Corn Importation, Com. *cl.* 1, Amend. *r. p.* 91; 3R. 629

BENTINCK, Lord W. G. F. C., *King's Lynn*
Bridport Election, 889
Budget, The, 1463
Canada—Commercial Policy of Government, Address moved for, 553, 1425
Corn Importation, Com. Amend. 35, 36, 54; *r. p.* 89; Oats, Amend. 121, 135; 137; Rep. 288, 298; 3R. 709
Customs Duties, Com. Amend., 819; 3R. 876
Factories, 2R. 1019

BERKELEY, Hon. C. F., *Cheltenham*
Taylor, Sir C., Charges against, 958

BERNAL, Mr. R., *Weymouth*
Committees, Attendance on, 465
Factories, 2R. 1014

Bingley Union, The,
c. Questions (Mr. Ferrand), 953

Birdhill, Tragical Occurrence at,
c. Question (Mr. O'Connell), 1287

BORTHWICK, Mr. P., *Evesham*
Corn Importation—Oats, Com. 136; Rep. 259
Customs Duties, Com. 848

BOUVERIE, Hon. E. P., *Kilmarnock, &c.*
Andover Union, Leave to Report Proceedings of Committee, 1411
Poor Relief (Scotland), 980

BOWRING, Dr. J., *Bolton*
Customs Duties, Com. 850
Man, Isle of, 176
Quarantine Laws, Address moved, 877
Russia and Turkey, Treaty between, 1423

Bridport Election,
c. Petition (Mr. G. Bankes), 328, 882; Amend. (Mr. Christie), 887, [A. 47, N. 47, M. O.] 910; (Mr. Henley) 1414, [A. 48, N. 80, M. 32] 1419; Select Committee appointed, 1420

BRIGHT, Mr. J., *Durham City*
Customs Duties, 3R. 876
Factories, 2R. 1050
Game Laws—Silvester's Case, 813
Lace Factories, 2R. 945
Privilege, Breach of, 817
Smith, Mr. J. T., Case of, Com. moved for, 548

BROOKE, Lord, *Warwickshire, S.*
Corn Importation, 3R. 455

BROTHERTON, Mr. J., *Salford*
Factories, 2R. 523
Lace Factories, 2R. 948

BROUGHAM, Lord
Art Unions, 970
Charitable Trusts, 2R. 780, 790
Clerks of the Crown (Ireland), Returns moved for, 580
Corn Importation, 1R. 730; 2R. 1176, 1182, 1283, 1284, 1286, 1291, 1363, 1367, 1372
Corn Laws, Returns moved for, 169
Customs Duties, 1R. 866
Education in Wales, 862
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 103
Religious Opinions Relief, Questions for the Judges, 318, 583, 604, 606
Sattara, Rajah of, 219

BUCCLEUCH, Duke of
Burghs (Scotland), Com. 175
Customs Duties, 1R. 862
Education in Wales, 862

Budget, The, c. 1429

BULLER, Mr. C., *Liskeard*
Corn Importation, Com. *cl.* 1, 91
Counsel, Members of the House acting as, 93
Fees in Courts of Law and Equity, Com. moved for, 200
New Zealand, 967

Burghs (Scotland) Bill,
l. 2R.* 24; Com. *add. cl.* (Duke of Richmond), 175; *cl. neg. ib.*; 3R.* 271; Royal Assent, 536

BURRELL, Sir C. M., *New Shoreham*
Corn Importation, Rep. Amend. 226, 299

Business of the House,
c. Statement (Sir R. Peel), 1421

BUTLER, Hon. P. S., *Kilkenny Co.*
O'Brien, Mr. W. S., Liberation of, 1199

CAMBRIDGE, Duke of
Art Unions, 968
Corn Importation, 2R. 1212
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 102

CAMPBELL, Lord
Charitable Trusts, 2R. 793
Death by Accidents Compensation, 3R. 173, 174
Deodands Abolition, 3R. 173, 174
Parliament, New Houses of—Ventilation, 171
Religious Opinions Relief, Questions for the Judges, 321, 415; Com. 609

Canada—Commercial Policy of Government,
c. Address moved (Lord G. Bentinck), 553; —Question, 1425

CANNING, Viscount
Corn Importation, 2R. 1149
Parliament, New Houses of—Ventilation, 170

CARDIGAN, Earl of
Corn Importation, 2R. 1221

CARDWELL, Mr. E., *Clitheroe*
Budget, The, 1467
Factories, 2R. 527
Post Office, 615
Smith, Mr. J. T., Case of, Com. moved for, 541
Supply, 1203; — Civil Contingencies, 1204, 1205; —Houses of Parliament, 1208

CAREW, Lord
Lieutenancies, County (Ireland), Correspondence moved for, 109, 113

CARNARVON, Earl of
Corn Importation, 2R. 1245

CARNEGIE, Hon. Capt. S. T., *Stafford*
Supply—Civil Contingencies, 1206

CAYLEY, Mr. E. S., *York, N. Riding*
Corn Importation, 3R. 394, 698

CHANCELLOR, The LORD (The Right Hon. Lord Lyndhurst)
Charitable Trusts Bill, 2R. 733, 768
Death by Accident Compensation, 3R. 174
Deodands Abolition, 3R. 174
Ireland, Crime in, Returns moved for, 977
Religious Opinions Relief, Questions for the Judges, 307, 309, 320, 416, 582, 583; Com. 590, 606, 612

CHANCELLOR OF THE EXCHEQUER (The Right Hon. H. Goulburn), *Cambridge University*
Bridport Election, 898
Budget, The, 1429, 1453, 1460
Colonial Office—Appointment of Mr. Rogers, 1421

CHANCELLOR OF THE EXCHEQUER—*cont.*
Corn Importation, Com. *cl.* 1, 92; Oats, 134
Counsel, Members of the House acting as, 92, 93
Customs Duties, Com. 837
Smith, Mr. J. T., Case of, Com. moved for, 551
Supply—Civil Contingencies, 1206; — Public Departments, 1207

Channel Islands, The
c. Question (Mr. Roebuck), 176

CHAPMAN, Mr. A., *Whitby*
Supply—Civil Contingencies, 1206

Charitable Trusts Bill,
l. 2R. 733, [Contents 40, Non-Contents 42, M. 2] 809

CHRISTIE, Mr. W. D., *Weymouth*
Bridport Election, Amend. 887, 908, 910
Loughborough Petty Sessions, 223
Poor Laws—Magisterial Oppression, 810, 1426
Privilege, Breach of, 818

Civil Contingencies—Supply, c. 1204

CLANRICARDE, Marquess of
Clerks of the Crown, (Ireland), Address moved, 576, 581
Ireland, Crime in, Returns moved for, 976, 977
Parliament, New Houses of—Ventilation, 170

CLARENDON, Earl of
Corn Importation, 2R. 1228, 1333

CLERK, Right Hon. Sir G., *Stamford*
Canada—Commercial Policy of Government, Address moved, 594
Customs Duties, 3R. 874
Quarantine Laws, Address moved, 881
Railway Companies Dissolution, Com. *cl.* 11, 912
Railway Legislation, 223

Clerks of the Crown (Ireland),
l. Returns moved for, 576

CLEVELAND, Duke of
Corn Importation, 2R. 1114

COBDEN, Mr. R. *Stockport*
Corn Importation, 3R. 617, 619, 623
Factories, 2R. 1075

COLLETT, Mr. J., *Athlone*
Game Laws—Silvester's Case—Capt. Lyons, and Sir C. Taylor, 329, 811, 812, 813, 959

Colonial Office — Appointment of Mr. Rogers
c. Observations (Mr. V. Smith), 1420

COLQUHOUN, Mr. J. C., *Newcastle, Staff.*
Corn Importation, 3R. 616
Factories, 2R. 466
Roman Catholic Relief, Com. Amend. 141, 154, 160

Commercial Policy of Government—Canada
c. Address moved for (Lord G. Bentinck), 553; —Question, 1425

Committees, Attendance on
c. Question (Mr. Gisborne), 464

Commons Inclosure Bill,
l. 3R.* 1; Royal Assent, 536

Commons Inclosure Act Amendment Bill,
l. 1R.* 1290

Constables, High, Bill,
l. 1R.* 299

Convicts in Australia
l. Question (Earl Grey), 870

Convicts, Superintendent of, Bill,
c. 1R.* 612; 2R.* 871; Rep.* 980; 3R.* 1195; *l.* 1R.* 1290

Corn Importation Bill,
c. Com. Amend. (Lord G. Bentinck), 35; Amend. withdrawn, 70, [A. 85, N. 181, M. 96] 89; *cl.* 1. *r. p.* (Mr. P. Bennet) [A. 55, N. 166, M. 111] 91;—*Oats,* Amend. (Lord G. Bentinck), 121; Amend. withdrawn, 137; Rep. Amend. (Sir C. Burrell), 226; Amend. withdrawn, 299; 3R. Amend. (Marquess of Granby), 330; Adj. Debate, 421, 616, [*o. q.* A. 327, N. 229, M. 98] 721; *l.* 1R. 728; 2R. 1084; Adj. Debate, 1210, 1290, [Contents 211, Non-Contents 164, M. 47] 1405

Corn Laws, The
l. Returns moved for (Lord Ashburton), 168; Petition (Earl of Hardwicke), 415; Returns moved for (Lord Stanley), 537

Coroners (Ireland) Bill,
c. Rep.* 1421

Corresponding Societies Act Amendment Bill,
c. 2R* 141; Rep. 912, 1195; 3R.* 1408

COTTENHAM, Lord
Charitable Trusts, 2R. Amend. 752

Counsel, Members of the House of Commons acting as,
c. Leave moved for (Mr. Hawes), 92; Motion withdrawn, 93

County Rates Bill,
c. 1R.* 612

County Works Presentment (Ireland) Amendment Bill,
c. 1R.* 1408

COURTENAY, Viscount, *Devonshire, S.*
Andover Union, Leave to Report Proceedings of Committee, 1409, 1410, 1413

COWPER, Hon. W. F., *Hertford*
Factories, 2R. 484
Lace Factories, 2R. 948

CRAWFORD, Mr. W. S., *Rochdale*
Corn Importation, 3R. 446
Factories, 2R. 516
Ireland, Measures of Relief for, 1196
Lace Factories, 2R. 945

Criminal Justice, Administration of, Bill,
Com. *add. cl.* (Hon. E. Law) 166; *cl.* withdrawn, 167

Crown Charters (Scotland) Bill,
c. 1R.* 538; 2R.* 1408

CURTEIS, Mr. H. B., *Rye*
Hardinge's, Viscount, Annuity, Com. 857

Customs Duties Bill,
c. Com. Amend. (Lord G. Bentinck), 819; Amend. withdrawn, 856; 3R* 874; *l.* 1R. 862

DALHOUSIE, Earl of
Corn Importation, 2R. 1290, 1373, 1379, 1383 1387
Corn Laws, Returns moved for, 537
Customs Duties, 1R. 869, 870
Railway Companies Dissolution, Rep. 2, 6

Death by Accident Compensation Bill,
l. 3R. 173; *c.* 1R.* 809

DENISON, Mr. E. B., *Yorkshire, W. R.*
Factories, 2R, 1060

DENISON, Mr. J. E., *Malton*
Ecclesiastical Commission, Officers of the, 963, 964

DENMAN, Lord
Deodands Abolition, 3R. 174
Religious Opinions Relief, Questions for the Judges, 320

DENNISTOUN, Mr. J., *Glasgow*
Factories, 2R. 493

Deodands Abolition Bill,
l. 3R. 173

DISRAELI, Mr. B., *Shrewsbury*
Corn Importation, Com. 80; Rep. 278; 3R. 651, 707

Distress in Ireland,
c. Question (Mr. P. Scrope), 912

Divisions, List of
Andover Union, Leave to Report Proceedings of Committee, (Viscount Courtenay) [A. 16, N. 81, M. 65] 1414
Bridport Election, Amend. (Mr. Henley), [A. 48, N. 90, M. 32] 1419
Corn Importation Bill, Com. *r. p.* (Lord G. Bentinck, [A. 85, N. 181, M. 96] 89; 3R. Amend. (Marquess of Granby) [*o. q.* A. 327, N. 229, M. 98] 721; 2R. [Contents 211, Non-Contents 164, M. 47] 1405
Factories Bill, 2R. [A. 193, N. 203, M. 10] 1080
Fees in Courts of Law and Equity, Com. moved for (Mr. Watson), [A. 65, N. 80, M. 15] 216
Lace Factories Bill, 2R. [A. 66, N. 151, M. 85] 950
O'Brien, Mr. W. S., Motion (Mr. O'Connell), [A. 36, N. 180, M. 144] 997
Roman Catholic Relief Bill, Com. Amend. (Mr. Colquhoun), [*o. q.* A. 110, N. 67, M. 43] 160

Drainage Bill, c. 1R.* 1421

DUNCAN, Mr. G., *Dundee*
Factories, 2R. 520

DUNCOMBE, Mr. T. S., *Finsbury*
Andover Union, Leave to Report Proceedings of Committee, 1412
Bridport Election, 908, 1416
Business of the House, 1422
Lace Factories, 2R. 914, 948
Post Office, 615

EASTHOPE, Sir J., *Leicester*
Corn Importation, 3R. 353
Railway Bills, Question, 538

EBRINGTON, Viscount, *Plymouth*
Real Property Commission, Address moved, 968

Ecclesiastical Commission, Officers of the,
c. Observations (Sir J. Graham), 962

Education in Wales,
l. Petition (Bishop of St. David's), 859

EGERTON, Rt. Hon. Lord F. L., *Lancashire, S.*
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 15

EGLINTON, Earl of
Corn Importation, 2R. 1355

ELDON, Earl of
Charitable Trusts, 2R. 790

Election Notices (Ireland), Bill,
c. Rep.* 175; 3R.* 219; *l.* 1R.* 536; 2R.* 728; Rep.* 859

ESCOTT, Mr. B., *Winchester*
Bridport Election, 903
Fees in Courts of Law and Equity, Com. moved for, 208
Roman Catholic Relief, Com. 160
Smith, Mr. J. T., Case of, Com. moved for, 553

ESSEX, Earl of
Corn Importation, 2R. 1351

ESTCOURT, Mr. T. G. B., *Oxford University*
O'Brien, Mr. W. S., 985
Roman Catholic Relief, Com. 159

ETWALL, Mr. R., *Andover*
Andover Union, Leave to Report Proceedings of Committee, 1412

EVANS, Sir De Lacy, *Westminster*
Bridport Election, 1416
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 28, 30

EWART, Mr. W., *Dumfries*
Van Diemen's Land—Transportation, 1288

EXCHEQUER, CHANCELLOR OF THE, *see* CHANCELLOR OF THE EXCHEQUER

Exchequer Bills' Bill,
l. Rep.* 1; 3R.* 94; Royal Assent, 536

EXETER, Bishop of
Religious Opinions Relief, Questions for the Judges, 300, 309, 312, 325, 581; Com. Amend. 583, 591, 594

Explosive Substances Bill,
c. 1R*. 327; 2R. 538; 3R*. 912; *l.* 1R*. 968; 2R*. 1290

Factories Bill,
c. 2R. Adj. Debate, 466, 998, [A. 193, N. 203, M. 10] 1080

Fees in Courts of Law and Equity,
c. Com. moved for (Mr. Watson), 176, [A. 65 N. 80, M. 15] 210

FERRAND, Mr. W. B., *Knaresborough*
Bingley Union, The, 953, 955, 956, 967, 958
Lace Factories, 2R. 944

FIELDEN, Mr. J., *Oldham*
Factories, 2R. 1010, 1048, 1054, 1057

FINCH, Mr. G., *Rutlandshire*
Corn Importation, Com. *cl.* 1, 137
Roman Catholic Relief, Com. 155

FITZMAURICE, Hon. Capt. W. E., *Buckinghamshire*
Quarantine Laws, Address moved, 882

FITZWILLIAM, Earl
Corn Importation, 2R. 1109
Corn Laws, Returns moved for, 169; Petition, 415
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 107

FLOYER, Mr. J., *Dorsetshire*
Corn Importation, Rep. 251; 3R. 351

Friendly Societies Bill,
l. 1R*. 167; 2R*. 299; Rep.* 968

Game Laws—Silvester's Case—Captain Lyons,
c. Question (Mr. J. Collett), 329;—*Sir C. Taylor,* 811, 958

GASKELL, Mr. J. M., *Wenlock*
Corn Importation, 3R. 340

German Customs Tariff,
c. Question (Mr. Wodehouse), 952

GISBORNE, Mr. T., *Nottingham*
Bridport Election, 894
Committees, Attendance on, 464
Lace Factories, 2R. 936, 937
Railway Companies Dissolution, Com. *cl.* 11, 911

GLENELG, Lord
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 104

GORE, Mr. M., *Barnstaple*
Corn Importation, 3R. 639
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 25

GORE, Mr. W. O., *Shropshire, N.*
Corn Importation, Com. *cl.* 1, 139

Gough, Lord, Pension to
c. Address, 9, 35; *l.* 94

Gough's, Lord, Annuity Bill,
c. 1R.* 141; 2R.* 219; Rep.* 871; 3R.* 912

Gough's, Lord, Annuity Bill (No. 2),
c. Leave, 613; 1R.* 615; 2R.* 871; 3R.* 912

GOULBURN, Right Hon. H., *see* CHANCELLOR OF THE EXCHEQUER

GRAHAM, Right Hon. Sir J. R. G., *Dorchester*
Administration of Criminal Justice, Com. 167
Andover Union, Leave to Report Proceedings of Committee, 1409, 1411
Birdhill, Tragical Occurrence at, 1287
Bridport Election, 891
Business of the House, 1423
Channel Islands, The, 176
Corn Importation, 3R. 375, 397, 617, 637
Counsel, Members of the House, acting as, 93
Ecclesiastical Commission, Officers of the, 962
Factories, 2R. 515
Fees in Courts of Law and Equity, Com. moved for, 195, 199
Game Laws—Silvester's Case—Captain Lyons, 329, 811, 813;—Sir C. Taylor, 959
Ireland, Distress in, 914
Lace Factories, 2R. 916; Amend. 918
Loughborough Petty Sessions, 225
Man, Isle of, 176
Metropolitan Buildings, 982
Poisoning Case at Happisburgh, 952
Poor Laws—Magisterial Oppression, 810, 1426
Roman Catholic Relief, Com. 148, 153
Sites for Places of Worship, Leave, 873

GRANBY, Marquess of, *Stamford*
Corn Importation, 3R. Amend. 330

GRANVILLE, Earl of
Corn Importation, 2R. 1213

GREENE, Mr. T., *Lancaster*
Corn Importation—Oats, Com. 136

GREY, Earl
Convicts in Australia, 870, 871
Corn Importation, 2R. 1291
Corn Laws, Returns moved for, 169
Customs Duties, 1R. 866
Railway Companies Dissolution, Rep. 3
Western Australia, 2R. 171

GREY, Right Hon. Sir G., *Devonport*
Business of the House, 1421
Committees, Attendance on, 465
Factories, 2R. 521
O'Brien, Mr. W. S., 989

GROSVENOR, Lord R., *Chester*
Roman Catholic Relief, Com. 156
Wellington, Duke of, Equestrian Statue to, 960

HADDINGTON, Earl of
Corn Importation, 2R. 1265, 1266
Customs Duties, 1R. 870
Ireland, Crime in, Returns moved for, 978

HANMER, Sir J., *Kingston-on-Hull*
Factories, 2R. 1044
Fees in Courts of Law and Equity, Com. moved for, 212
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 29

Happisburgh, Poisoning Case at
c. Question (Mr. Wakley), 952

Hardinge, Viscount, Pension to
c. Address, 9; *l.* 94

Hardinge's, Viscount, Annuity Bill,
c. 1R.* 141; 2R.* 219; Com. 856; Rep.* 871; 3R.* 912

Hardinge's, Viscount, Annuity Bill (No. 2),
c. Leave, 613; 1R.* 615; 2R.* 871; 3R.* 912

HARDWICKE, Earl of
Corn Importation, 2R. 1277, 1283, 1284
Corn Laws, The, Petition, 415

HASTIE, Mr. A., *Paisley*
Corn Importation, 3R. 440

HAWES, Mr. B., *Lambeth*
Counsel, Members of the House acting as, 92, 93
Customs Duties, Com. 847
Metropolitan Buildings, 982
Smith, Mr. J. T., Case of, Com. moved for, 547

HAY, Sir A. L., *Elgin, &c.*
Hardinge's, Viscount, Annuity, Com. 856, 859

HENLEY, Mr. J. W., *Oxfordshire*
Bridport Election, 910; Amend. 1414
Corn Importation, Rep. 268, 283, 285, 288
Customs Duties, Com. 854
Hardinge's, Viscount, Annuity, Com. 856
O'Brien, Mr. W. S., Liberation of, 1199

HERBERT, Right Hon. S., *Wiltshire, S.*
Corn Importation, Rep. 281

High Constables Bill, l. 3R.* 299

HILDYARD, Mr. T. B. T., *Nottinghamshire, S.*
Nottinghamshire, South, Election, Explanation, 417

HINDE, Mr. J. H, *Newcastle-on-Tyne*
Canada—Commercial Policy of Government, Address moved, 575

HINDLEY, Mr. C., *Ashton-under-Lyne*
Factories, 2R. 479

HOBHOUSE, Right Hon. Sir J. C., *Nottingham*
Lace Factories, 2R. 930

HOGG, Mr. J. W., *Beverley*
Hardinge, Visct., and Lord Gough, Pensions to, Address, 20, 29, 32; Leave, 613; Com. 857

HOWARD, Mr. P. H., *Carlisle*
Roman Catholic Relief, Com. 156

HUDSON, Mr. G., *Sunderland*
Budget, The, 1469
Corn Importation, 3R. 632, 694, 695
Customs Duties, Com. 855
Potatoes from Yorkshire, 1429
Railway Companies Dissolution, Com. *cl.* 11, 912
Railway Labourers, 1471
Railway Legislation, *add. cl.* 220, 223
Van Diemen's Land—Transportation, 1290

HUME, Mr. J., *Montrose*
Bridport Election, Amend. Adj. 911, 1418
Budget, The, 1461
Business of the House, 1423
Ecclesiastical Commission, Officers, 963, 966
Fees in Courts of Law and Equity, Com. moved for, 192
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 25; Leave, 613; Com. 856
Oregon Question, The, 1424
Privilege, Breach of, 818
Quarantine Laws, Address moved, 881
Supply—Civil Contingencies, 1206; — Public Departments, 1207;—Houses of Parliament, 1208, 1209

HUMPHERY, Alderman J., *Southwark*
Customs Duties, Com. 836
Potatoes from Yorkshire, 836, 1428

Ibrahim Pacha, Visit of,
c. Question (Mr. M. Milnes), 960

Inclosure of Commons Bill,
l. 3R. 1; Royal Assent, 536

Inclosure of Commons Act Amendment Bill,
. 1R.* 1290

Indemnity Bill, l. Royal Assent, 536

INGLIS, Sir R. H., *Oxford University*
Bridport Election, 895
Factories, 2R. 510
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 24
O'Brien, Mr. W. S. 996
Quarantine Laws, Address moved, 882
Sites for Places of Worship (Scotland), Leave, 873

Insolvent Debtors Act Amendment Bill,
l. 2R.* 576; Rep.* 859

Insolvent Debtors (India) Bill,
l. Royal Assent, 536

Ireland, Distress in,
c. Question (Mr. P. Scrope), 912;—*l. Crime in,* Returns moved for (Marquess Normanby), 970;—*c.* Observations (Mr. O'Connell), 1203; —*Measures of Relief for,* Question (Mr. S. Crawford), 1196;—see *Birdhill, Tragical Occurrence at—Clerks of the Crown—Coroners—County Works Presentment—Election Notices—Lieutenancies, County—Protection of Life*

JAMES, Sir W. C., *Kingston-upon-Hull*
Bridport Election, 1416

JAMES, Mr. W., *Cumberland, E.*
Budget, The, 1472

JOLLIFFE, Sir W. G. H., *Petersfield*
Corn Importation, Rep. 234

KELLY, Sir F., *see* SOLICITOR GENERAL, The

KINNAIRD, Lord
Corn Importation, 2R. 1316
Railway Companies Dissolution, Rep. 6

LABOUCHERE, Right Hon. H., *Taunton*
Bridport Election, 909
Factories, 2R. 473, 479
Railway Legislation, 223
Spain—Discriminating Duties, 1202, 1286

Lace Factories Bill,
c. 2R. 914, [A. 66, N. 151, M. 85] 950

LANSDOWNE, Marquess of
Art Unions, 970
Corn Importation, 2R. 1337
Education in Wales, 861
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 100
Lieutenancies, County (Ireland), Correspondence moved for, 117, 119

LAW, Hon. C. E., *Cambridge University*
Administration of Criminal Justice, Com. *add. cl.* 166, 167
Bridport Election, 1418
Corn Importation, Rep. 299
Roman Catholic Relief, Com. 157; *cl.* Amend. 163, 164, 166

LAWSON, Mr. A., *Knaresborough*
Corn Importation, 3R. 646
Customs Duties, Com. 832
Potatoes from Yorkshire, 832, 1427

LAYARD, Captain B. V., *Carlow Bo.*
Corn Importation—Oats, Com. 136
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 27

LEADER, Mr. J. T., *Westminster*
Game Laws—Silvester's Case, 814

LEFEVRE, Right Hon. C. S., *see* SPEAKER, THE

LEFROY, Mr. A., *Longford*
Corn Importation, Rep. 255

LEINSTER, Duke of
Clerks of the Crown (Ireland), Returns moved for, 580
Lieutenancies, County (Ireland), Correspondence moved for, 119

Lieutenancies, County (Ireland),
l. Correspondence moved for (Lord Carew), 109

LINCOLN, Earl of, *Linlithgow, &c.*
Corn Importation, Rep. 242, 244, 252, 258, 296, 297
Nottinghamshire, South, Election, 419

LONDONDERRY, Marquess of
Clerks of the Crown (Ireland), Returns moved for, 580
Corn Importation, 1R. 732; 2R. 1124

Loughborough Petty Sessions,
c. Question (Mr. Christie), 223

Lyons, Captain—Game Laws,
c. Question (Mr. J. Collett), 329, 811, 958

LYTTELTON, Lord
Convicts in Australia, 871
Western Australia, 2R. 171

MACAULAY, Rt. Hon. T. B., *Edinburgh*
Factories, 2R. 1028

MACKINNON, Mr. W. A., *Lymington*
Quarantine Laws, Address moved, 881

M'NEIL, Right Hon. D., *see* ADVOCATE, The LORD

Magisterial Oppression,
c. Question (Mr. Christie), 810, 1426

MALMESBURY, Earl of,
Corn Importation, 2R. 1261

Man, Isle of,
c. Question (Dr. Bowring), 176

MANNERS, Lord J., *Newark-upon-Trent*
Factories, 2R. 496
Lace Factories, 2R. 933
Roman Catholic Relief, Com. 159

MAULE, Right Hon. F., *Perth*
Sites for Places of Worship, Leave, 872, 873

MELBOURNE, Viscount
Queen, The, Accouchement of, Address moved, 1084

Metropolitan Buildings,
c. Question (Mr. Hawes), 982

MILES, Mr. W., *Somersetshire, E.*
Corn Importation, 3R. 355
Customs Duties, 3R. 876
Smith, Mr. J. T., Case of, Com. moved for, 553

MILNES, Mr. R. M., *Pontefract*
Ibrahim Pacha, Visit from, 960
Roman Catholic Relief, Com. 156

MONTEAGLE, Lord
Art Unions, 969
Corn Importation, 2R. 1291
Customs Duties, 1R. 864

MORPETH, Viscount, *Yorkshire, W. R.*
Factories, 2R. 479, 1023

MORRIS, Mr. D., *Carmarthen*
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 32

MUNTZ, Mr. G. F., *Birmingham*
Factories, 2R. 1015, 1079
Lace Factories, 2R. 935, 937
Smith, Mr. J. T., Case of, Com. moved for, 543

NAPIER, Sir C., *Marylebone*
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 23
Naval Retirements, 1424

Naval Retirements
c. Remarks (Sir C. Napier), 1424

NEWDEGATE, Mr. C. N., *Warwickshire, N.*
Corn Importation, 3R. 421
Roman Catholic Relief, Com. 156; *cl.* 1, 164, 165, 166
Smith, Mr. J. T., Case of, Com. moved for, 549

New Zealand
c. Observations (Mr. C. Buller), 967

NORMANBY, Marquess of
Corn Importation, 2R. 1215, 1271, 1277, 1370
Ireland, Crime in, Returns moved for, 970
Lieutenancies, County (Ireland), Correspondence moved for, 115

Nottinghamshire, South, Election
c. Explanation (Mr. Hildyard), 416

Oats
c. Com. Amend. (Lord G. Bentinck), 121; Amend. withdrawn, 136

O'BRIEN, Mr. A. S., *Northamptonshire, N.*
Corn Importation, Rep. 252
Customs Duties, 3R. 874
Lace Factories, 2R. 950

O'Brien, Mr. W. S.—Refusal to Serve on a Committee
c. Observations (Mr. Speaker), 966; Motion (Mr. O'Connell), 983, [A. 36, N. 180, M. 144] 997; Motion for Liberation (Mr. F. Shaw), 1198; Order for Discharge, 1201

O'Connell, Mr. D., *Cork Co.*
Birdhill, Tragical Occurrence at, 1287
Ireland, Crime in, 1203
O'Brien, Mr. W. S., 967, 983, 992, 996
Roman Catholic Relief, Com. 146, 154

O'Connell, Mr. J., *Kilkenny Bo.*
Business of the House, 1421

O'Connell, Mr. M. J., *Kerry*
O'Brien, Mr. W. S., 994, 996

Oregon Question, The,
c. Question (Mr. Hume), 1424

Oxford, Bishop of
Religious Opinions Relief, Com. 601, 606, 610

Packe, Mr. C. W., *Leicestershire, S.*
Corn Importation, Com. *cl.* 1, Amend. *r. p.* 91

Pakington, Mr. J. S., *Droitwich*
Andover Union, Leave to Report Proceedings of Committee, 1412

Palmer, Mr. G., *Essex, S.*
Corn Importation, 3R. 432

Parliament, New Houses of—Ventilation of,
l. Question (Marquess of Clanricarde), 170;—Supply, 1208

Pechell, Captain G. R., *Brighton*
Andover Union, Leave to Report Proceedings of Committee, 1412

Peel, Right Hon. Sir R., *Tamworth*
Bingley Union, The, 954, 958
Bridport Election, 905, 1417
Business of the House, 1421, 1422
Canada—Commercial Policy, 1426
Corn Importation, Com. 53; *cl.* 1, 92; 3R. 427, 616, 631, 689, 709
Customs Duties, 3R. 874
Factories, 2R. 535, 1001, 1061
Fees in Courts of Law and Equity, Com. moved for, 212
German Customs Tariff, 953
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 9, 33; Leave, 613, 614; Com. 856, 858
Ibrahim Pacha, Visit of, 960
Ireland, Measures of Relief for, 1196;—Crime in, 1203
Lace Factories, 2R. 940
Naval Retirements, 1425
New Zealand, 967
O'Brien, Mr. W. S., 994; Liberation of, 1200
Oregon Question, The, 1424
Protection of Life (Ireland), 1201
Queen, Accouchement of the, Address moved, 1197
Railway Bills, 539
Railways (Ireland), 7, 8
Roman Catholic Relief, Com. 151, 157, 160; *cl.* 1, 164, 165
Russia and Turkey, Treaty between, 1423
Spain—Discriminating Duties, 1202, 1287
Supply, 1204;—Houses of Parliament, 1208, 1209
Wellington, Duke of, Equestrian Statue to the, 961, 662

Phillips, Mr. M., *Manchester*
Lace Factories, 2R. 947

Places of Worship, Sites for (Scotland) Bill,
c. Leave, 872; 1R.* 912

Plumptre, Mr. J. E., *Kent, E.*
Corn Importation, 3R. 438
Customs Duties, Com. 849

Poisoning, Case of, at Happisburgh,
c. (Question), Mr. Wakley, 952

Polhill, Captain F., *Bedford*
Corn Importation, 3R. 434

Polling Places (Ireland) Bill,
c. 3R. 121; *l.* 1R.* 167; 2R. 536; Rep.* 1083; 3R.* 1209

Pollington, Viscount, *Pontefract*
O'Brien, Mr. W. S., 994

Poor Laws—Magisterial Oppression,
c. Question (Mr. Christie), 810; — *Bingley Union,* Question (Mr. Ferrand), 953, 1426;—*Andover Union,* That the Committee have power to Report its Proceedings (Viscount Courtenay), 1409, [A. 16, N. 81, M. 65] 1414

Poor Relief (Scotland),
c. Question (Hon. E. P. Bouverie), 980

Poor Removal Bill, c. 2R.* 7

Post Office,
c. Question (Mr. T. Duncombe), 615

Potatoes from Yorkshire,
c. Remarks (Mr. Lawson), 646, 1427

Privilege, Breach of,
c. Observations (Mr. G. Bankes), 815

Protection of Life (Ireland),
c. Question (Lord J. Russell), 1201

Protheroe, Mr. E., *Halifax*
Supply—Houses of Parliament, 1208

Public Department—Supply, c. 1207

Quarantine Laws,
c. Address moved (Dr. Bowring), 877

Queen, The, Accouchement of,
l. Address moved (Duke of Wellington), 1084; *c.* (Sir R. Peel), 1197

Railway Bills,
l. Res. (Lord Redesdale), 171; *c.* Question (Sir J. Easthope), 538

Railway Bills (Ireland),
c. Question (Sir H. W. Barron), 7

Railway Companies Dissolution Bill,
l. Report, 2; 3R*. 94; *c.* 1R*. 219; 2R.* 416; Com. *cl.* 11, 911

Railway Deposits Bill,
l. 3R*. 167

Railway Legislation,
c. add. cl. (Mr. Hudson), 220; Motion withdrawn, 223

Rating of Tenements, c. 1R.* 7

Real Property Commission,
c. Address moved (Viscount Ebrington), 968; House counted out, *ib.*

Real Property Conveyance Bill,
l. 2R.* 414

Redesdale, Lord
Lieutenancies, County (Ireland), Correspondence moved for, 120
Railway Bills opposed, Res. 172
Railway Companies Dissolution, Rep. 5

Religious Opinions Relief Bill,
l. Questions for the Judges (Bishop of Exeter) 300; Motion withdrawn, 327; Question (Lord Campbell), 415; Com. 581

Retiring Allowances for Naval Officers,
c. Remarks (Sir C. Napier), 1424

Richmond, Duke of
Burghs (Scotland), Com. *add. cl.* 175
Corn Importation, 1R. 728, 731, 732; 2R. 1095; Amend. 1100, 1126, 1269, 1270, 1291, 1373, 1379, 1387
Corn Laws, Returns moved for, 169
Customs Duties, 1R. 862, 869
Ireland, Crime in, Returns moved for, 979
Lieutenancies, County (Ireland), Correspondence moved for, 119
Western Australia, 2R. 171

Ripon, Earl of
Corn Importation, 1R. 733; 2R. 1084, 1095, 1097
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 94
Sattara, Rajah of, 218

Roebuck, Mr. J. A., *Bath*
Canada—Commercial Policy of Government, Address moved, 562, 563, 568
Channel Islands, The, 176
Corn Importation, Rep. 273; 3R. 636
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 19

Rogers, Mr., Appointment of—Colonial Office,
c. Observations (Mr. V. Smith), 1420

Rolleston, Col. L., *Nottinghamshire, S.*
Lace Factories, 2R. 926

Roman Catholic Relief Bill,
c. Com. Amend. (Mr. Colquhoun), 141, [*o. q.* A. 110, N. 67, M. 43] 160; *cl.* 1, 162; Amend. (Hon. E. Law), 163; Amend. Withdrawn, 166

Romilly, Mr. J., *Bridport*
Bridport Election, 899
Fees in Courts of Law and Equity, Com. moved for, 211

Ropemakers Bill,
c. 1R.* 538; 2R.* 1408

Russell, Rt. Hon. Lord J., *London*
Corn Importation, Com. 36, 74; 3R. 677
Factories, 2R. 1069, 1079
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 17, 35
Lace Factories, 2R. 946
Protection of Life (Ireland), 1201
Queen, Accouchement of, Address moved, 1197
Roman Catholic Relief, Com. 152, 158; *cl.* 1, 163
Supply, 1204

Russia and Turkey, Treaty between,
c. Question (Dr. Bowring), 1423

St. Asaph and Bangor Dioceses Bill,
l. 1R.* 1290

St. David's, Bishop of
Education in Wales, 859
Religious Opinions Relief, Com. 595

St. Germans, Earl of
Clerks of the Crown (Ireland), Returns moved for, 579, 580
Ireland, Crime in, Returns moved for, 970, 974, 977
Lieutenancies, County (Ireland), Correspondence moved for, 110, 115, 119

Salisbury, Bishop of
Charitable Trusts, 2R. 799

Salmon Fisheries Bill,
c. Rep.* 175

Sattara, Rajah of,
l. Petition (Lord Beaumont), 218

Scotland, see *Crown Charters—Poor Relief—Service of Heirs—Sites for Places of Worship*

Scott, Hon. F., *Roxburghshire*
Corn Importation, Com. *cl.* 1, 140; 3R. 449

Scrope, Mr. G. P., *Stroud*
Game Laws—Silvester's Case, 814
Ireland, Distress in, 912

Service of Heirs (Scotland) Bill,
c. 1R.* 538; 2R.* 1408

Seymer, Mr. H. K., *Dorsetshire*
Corn Importation, 3R. 455

Shaw, Right Hon. F., *Dublin University*
O'Brien, Mr. W. S., Motion for Liberation, 1198

Sheridan, Mr. R. B., *Shaftesbury*
Corn Importation, 3R. 344

Sibthorp, Colonel C. D. W., *Lincoln*
Corn Importation, Com. *cl.* 1, 92
Customs Duties, Com. 854
Hardinge's, Viscount, Annuity, Com. 857
Roman Catholic Relief, Com. *cl.* 1, 162

Silvester's Case—Game Laws,
c. Question (Mr. J. Collett), 329, 811, 958

Sites for Places of Worship (Scotland) Bill,
c. Leave, 872; 1R.* 912

Smith, Right Hon. R. V., *Northampton*
Colonial Office—Appointment of Mr. Rogers, 1420
Corn Importation, 3R. 647

Smith, Mr. Joshua Toulmin, Case of,
c. Com. moved for (Mr. Spooner), 539, [A. 125, N. 134, M. 9] 553

Solicitor General, The (Sir FitzRoy Kelly), *Cambridge*
Bridport Election, 1415

Spain—Discriminating Duties
c. Question (Rt. Hon. H. Labouchere), 1202, 1286

Speaker, The (The Right Hon. C. S. Lefevre), *Hampshire, N.*
Bridport Election, 328, 329, 911
Committees, Attendance on, 466
Corn Importation, 726
Counsel, Members of the House acting as, 93
Factories, 2R. 535
O'Brien, Mr. W. S., 966
Roman Catholic Relief, Com. 154

Spooner, Mr. R., *Birmingham*
Roman Catholic Relief, Com. 160
Smith, Mr. J. T., Case of, Com. moved for, 539, 553

Stanhope, Earl of
Corn Importation, 2R. 1238, 1266

Stanley, Lord
Corn Importation, 2R. 1097, 1128, 1182
Corn Laws, Returns moved for, 537
Lieutenancies, County (Ireland), Correspondence moved for, 111
Religious Opinions Relief, Com. 610

Strutt, Mr. E., *Derby*
Lace Factories, 2R. 928
O'Brien, Mr. W. S., 991

Stuart, Mr. J., *Newark-upon-Trent*
Corn Importation—Oats, Com. 136

Superintendent of Convicts Bill,
c. 1R.* 612; 2R.* 871; Rep.* 980; 3R.* 1195; *l.* 1R.* 1290

Supply,
c. 1203;—*Civil Contingencies,* 1204;—*Public Departments,* 1207;—*Houses of Parliament,* 1208

Tariff, The German
c. Question (Mr. Wodehouse), 952

Taylor, Sir C., Charges against
c. Question (Mr. J. Collett), 811, 958

Tenements, Rating of, c. 1R.* 7

Thesiger, Sir F., *see* Attorney General, The

Transportation—Van Diemen's Land,
c. Resolutions (Mr. Ewart), 1288; House counted out, 1290

Trelawny, Mr. J. S., *Tavistock*
Factories, 2R. 504

Turkey and Russia, Treaty between
c. Question (Dr. Bowring), 1423

United States—The Oregon Question,
c. Question (Mr. Hume), 1424

Van Diemen's Land—Transportation
c. Resolutions (Mr. Ewart), 1288; House counted out, 1290

Ventilation of the Houses of Parliament,
l. Question (Marquess of Clanricarde), 170

Verner, Colonel W., *Armagh Co.*
Corn Importation, Rep. 229

Vexatious Actions, Protection Against, Bill,
l. 1R.* 414

Villiers, Hon. C. P., *Wolverhampton*
Corn Importation, 3R. 717

Vyse, Capt. R. H. R. H., *Northampton, S.*
Corn Importation, 3R. 454

Wakley, Mr. T., *Finsbury*
Andover Union, Leave to Report Proceedings of Committee, 1410
Bridport Election, 896, 1045
Factories, 2R. 1004, 1419
Lace Factories, 2R. 938, 943
O'Brien, Mr. W. S., 992
Poisoning Case at Happisburgh, 952
Privilege, Breach of, 819
Smith, Mr. J. T., Case of, Com. moved for, 539, 549

Wales, Education in,
c. Petition (Bishop of St. David's), 859

Walsh, Sir J. B., *Radnorshire*
Corn Importation, 3R. 440

Warburton, Mr. H., *Kendal*
O'Brien, Mr. W. S., 988

Ward, Mr. H. G., *Sheffield*
Factories, 2R. Amend. Adj. 534, 535, 1003, 1004, 1010

WATSON, Mr. W. H., *Kinsale*
Fees in Courts of Law and Equity, Com. moved for, 176
O'Brien, Mr. W. S., 996
Roman Catholic Relief, Com. 150, 153, 158, 162

Ways and Means—The Budget, c. 1429

WELLINGTON, Duke of
Corn Importation, 1R. 728; 2R. 1401
Death by Accident Compensation, 3R. 173
Deodands Abolition, 3R. 173
Ireland, Crime in, Returns moved for, 977
Lieutenancies, County (Ireland), Correspondence moved for, 120

Wellington, Duke of, Equestrian Statue to the,
c. Question (Lord R. Grosvenor), 960

Western Australia Bill,
l. 2R. 171; 3R.* 859

WICKLOW Earl of,
Clerks of the Crown (Ireland), Returns moved for, 581
Ireland, Crime in, Returns moved for, 977
Lieutenancies, County (Ireland), Correspondence moved for, 113
Queen, The, Accouchement of, Address moved, 1084
Railway Bills, Opposed, Res. 172

WILDE, Sir T., *Worcester*
Smith, Mr. J. T., Case of, Com. moved for, 543

WILLIAMS, Mr. W., *Coventry*
Budget, The, 1468
Fees in Courts of Law and Equity, Com. moved for, 193
Hardinge, Viscount, and Lord Gough, Pensions to, Address, 30; Com. 857
Supply, 1203;—Civil Contingencies, 1204;—Public Departments, 1207;—Houses of Parliament, 1208

WILTON, Earl of
Corn Importation, 2R. 1210

WINCHILSEA, Earl of
Corn Importation, 2R. 1224

WODEHOUSE, Mr. E., *Norfolk, E.*
German Customs Tariff, The, 952

WOOD, Mr. C., *Halifax*
Bridport Election, 891, 901
Budget, The, 1466
Corn Importation, 3R. 624

WORTLEY, Hon. J. S., *Buteshire*
Bridport Election, 1418

WROTTESLEY, Lord
Charitable Trusts, 2R. 802

YORKE, Hon. E. T., *Cambridgeshire*
Corn Importation, 726

YORKE, Mr. H. G. R., *York City*
Fees in Courts of Law and Equity, Com. moved for, 210

ERRATA.

Page 327, line 17 from bottom, *for* Public Bills 3°. *read* Public Bills 1°.

— 963, — 21 from bottom, *for* hon. Member for Maldon, *read* hon. Member for Malton.

— 927, — 12, *for* Majority 140, *read* Majority 144.

— 1408, — 29 from bottom, *for* Earl of Belhaven, *read* Lord Belhaven.

In Mr. Cardwell's speech on "*Mr. Toulmin Smith's Case,*" p. 543, *for* "Sixty years ago Lord Mansfield had laid down that an officer of Excise could not be punished even for an act wantonly and maliciously done"—*read* "Sixty years ago Lord Mansfield had laid down that an officer of Excise could be punished for an act wantonly and maliciously done."

END OF VOLUME LXXXVI., FOURTH VOLUME OF SESSION.